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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

41° VICTORIÆ, 1878.

VOL. CCXXXIX.

COMPRISING THE PERIOD FROM

THE TWENTY-SIXTH DAY OF MARCH 1878,

TO

THE FIFTEENTH DAY OF MAY 1878.

Third Volume of the Session.

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The House suspended its Sitting at five minutes to Seven of the clock.

The House resumed its Sitting at Nine of the clock.

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After short debate, Amendment and Motion, by leave, *withdrawn.*

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		s.	*d.*	
Tea	the lb.	0	6."	.. 556

After long debate, Resolution *agreed to.*

(2.) Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, the following Duties of Customs shall be charged on and after the 5th day of April 1878, on Tobacco imported into the United Kingdom, in lieu of the Duties now payable thereon (that is to say):—

		£	*s.*	*d.*
Tobacco Manufactured, viz.:—				
Segars	the lb.	0	5	4
Cavendish or Negrohead	the lb.	0	4	10
Snuff containing more than 13lbs. of moisture in every 100lbs. weight thereof . .	the lb.	0	4	1
Snuff not containing more than 13lbs. of moisture in every 100lbs. weight thereof . .	the lb.	0	4	10
Being Cavendish or Negrohead Manufactured in Bond	the lb.	0	4	4
Other Manufactured Tobacco . . .	the lb.	0	4	4
Tobacco Unmanufactured, viz.:—				
Containing 10lbs. or more of moisture in every 100lbs. weight thereof . . .	the lb.	0	3	6
Containing less than 10lbs. of moisture in every 100lbs. weight thereof . . .	the lb.	0	3	10,"

—(*Mr. Chancellor of the Exchequer*) 605

After short debate, Question put:—The Committee *divided;* Ayes 204, Noes 24; Majority 180.—(Div. List, No. 96.)

(3.) *Resolved,* That, in lieu of the Drawback now payable on Tobacco, there shall be allowed on and after the 5th day of June 1878, a Drawback on the exportation, or deposit in a bonded warehouse to be used as ship's stores, of Tobacco, of Three Shillings and Seven Pence per pound, subject to the provisions of "The Manufactured Tobacco Act, 1863," (26 Vic. c. 7) for ascertaining the amount of Drawback payable, and under such regulations as the Commissioners of Customs may see fit to adopt.

(4.) Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the 6th day of April, one thousand eight hundred and seventy-eight, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):

For every Twenty Shillings of the annual value or amount of Property, Profits, and Gains chargeable under Schedules (A) (C) (D) or (E) of the said Act, the Duty of Five Pence;

And for every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,—

In England, the Duty of Two Pence Halfpenny;

In Scotland and Ireland respectively, the Duty of One Penny Three Farthings;

Subject to the provisions contained in section one hundred and sixty-three of the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, for the exemption of persons whose income is less than One Hundred and Fifty Pounds, and in section eight of 'The Customs and Inland Revenue Act, 1876,' for the relief of persons whose income is less than Four Hundred Pounds."

After short debate, Resolution *agreed to.*

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WAYS AND MEANS—THE FINANCIAL STATEMENT—Committee—*continued.*

Motion made, and Question proposed, "That, on and after the first day of June, one thousand eight hundred and seventy-eight, in lieu of the Annual Duty of Five Shillings imposed by the Act of the thirtieth and thirty-first years of Her Majesty's reign, chapter five, there shall be granted and charged the Annual Duty of Seven Shillings and Sixpence for and in respect of every Dog of the age of Two Months or upwards, for which a Licence to keep the same shall be taken out under the said Act, such Licence terminating on the thirty-first day of December following the day on which it is granted."

After short debate, Motion, by leave, *withdrawn.*

(5.) *Resolved,* That it is expedient to amend the Laws relating to the Customs and the Inland Revenue.

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

Public Works Loans Bill [Bill 138]—
Moved, "That the Bill be now read a second time,"—(*Mr. Sclater-Booth*) 608
After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Dillwyn:*)—After further short debate, Motion *agreed to:*—Debate *adjourned* till *To-morrow.*

Sale of Intoxicating Liquors on Sunday (Ireland) Bill—
Bill *considered* in Committee [*Progress 1st April*] 622
After some time spent therein, Committee report Progress; to sit again upon *Monday,* 13th May.

Local Government Provisional Orders (Abingdon, &c.) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 142] 646

LORDS, FRIDAY, APRIL 5.

NAVY—FOUNDERING OF H.M.S. "EURYDICE"—Question, The Earl of Wharncliffe; Answer, Lord Elphinstone 646

PRECOGNITION (SCOTLAND)—SUDDEN OR SUSPICIOUS DEATHS—MOTION FOR RETURNS—

Moved for, Returns from each county in Scotland of the number of cases of sudden death or of death under suspicious or unknown circumstances which have been the subject of precognition by procurators fiscal in each of the years 1875 and 1876, and in which the investigations were from the first connected with charges of murder, culpable homicide, &c.; also specifying the number of such cases as have afterwards become the subject of criminal trials (supplementary to Lords Paper No. 4., 1878),—(*The Earl of Minto*) 647
After short debate, Motion *agreed to:*—Returns *ordered* to be laid before the House.

THE MAURITIUS—COOLIE IMMIGRATION—Question, Observations, The Earl of Kimberley; Reply, Earl Cadogan:—Short debate thereon .. 650

Endowed Schools and Hospitals (Scotland) Bill (No. 56)—
Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 653
After short debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

Inclosure Provisional Orders Bill [H.L.]—*Presented* (*The Lord Steward*); read 1ª, and *referred* to the Examiners (No. 64) 661

Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) Bill [H.L.]—*Presented* (*The Lord President*); read 1ª, and *referred* to the Examiners .. 661

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PRIVATE BUSINESS.

Dublin Tramways Bill (by Order)—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [26th March], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Maurice Brooks.*)

Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* 662

After short debate, Question put:—The House *divided;* Ayes 87, Noes 45; Majority 42.—(Div. List, No. 98.)

Main Question put, and *agreed to:*—Bill read a second time, and *committed.*

QUESTIONS.

Metropolis—Free Porters of the City of London—Question, Mr. Cowper-Temple; Answer, Mr. Assheton Cross 663

The late Persian Legation—Question, Sir Thomas Chambers; Answer, Mr. Bourke 663

Demolition of Houses (Metropolis)—The Midland Railway Company—Question, Sir Thomas Chambers; Answer, Mr. Assheton Cross .. 664

Dominion of Canada—Permissive Bill—Question, Sir Alexander Gordon; Answer, Sir Michael Hicks-Beach 664

The Murder of the Earl of Leitrim—Questions, Mr. Clive, Mr. Gladstone; Answers, Mr. J. Lowther 665

Navy—Naval Forces in the Pacific—Question, Mr. Bates; Answer, Mr. W. H. Smith 666

Turkey—Murder of Mr. Ogle—Question, Sir Charles Mills; Answer, Mr. Bourke 666

India—Public Meetings—Questions, Mr. Fawcett; Answers, Mr. Gathorne Hardy 666

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The Eastern Question—Russia and Roumania—Question, Mr. W. Cartwright; Answer, Mr. Bourke 671

The Queen's Colleges (Ireland)—The Irish Language—Question, Mr. O'Connor Power; Answer, Mr. J. Lowther 672

Parliament—Orders of the Day—Resolution—

Ordered, That the Orders of the Day subsequent to the Order of the Day for receiving the Report from the Committee of Ways and Means be postponed until after the Notice of Motion for leave to bring in a Bill for establishing a Code of Indictable Offences,—(*Mr. Chancellor of the Exchequer.*)

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

LOCAL GOVERNMENT AND TAXATION IN LONDON—RESOLUTIONS—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present state of Local Government in London is unsatisfactory, and calls for reform,"—(*Sir Ughtred Kay-Shuttleworth,*)—instead thereof 672

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 116, Noes 73; Majority 43.—(Div. List, No. 99.)

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE EASTERN QUESTION AND THE CONGRESS—Questions, Observations, Mr. Gladstone; Reply, The Chancellor of the Exchequer .. 733

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

WAYS AND MEANS—REPORT—Resolutions [April 4th] *reported* .. 743
First Resolution *agreed to.*
Second Resolution read a second time.
Moved, "That this House doth agree with the Committee in the said Resolution:"—After short debate, Question put:—The House *divided;* Ayes 100, Noes 17; Majority 83.—(Div. List, No. 100.)
Subsequent Resolutions *agreed to.*
Bill *ordered* (*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson*); *presented,* and read the first time [Bill 146.]

Bills of Sale (*re-committed*) **Bill** [Bill 129]—
Bill *considered* in Committee 753
After short time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next.

Metropolis Management and Building Acts Amendment (*re-committed*) **Bill** [Bill 132]
Bill *considered* in Committee [*Progress* 28*th March*] 755
After short time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next.

Metropolis Waterworks (Purchase) Bill [Bill 58]—
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After short debate, Debate *further adjourned* till *Tuesday* next.

LORDS, MONDAY, APRIL 8.

Message from the Queen—

ARMY RESERVE FORCES—Order of the Day for the consideration of the Queen's Message, read 760

Moved that an humble Address be presented to Her Majesty thanking Her Majesty for Her most gracious message communicating to this House Her Majesty's intention to cause the Reserve Force and the Militia Reserve Force, or such part thereof as Her Majesty should think necessary, to be forthwith called out for permanent service,—(*The Earl of Beaconsfield*) 777

After long debate, Address *agreed to, nemine dissentiente.*
Ordered, That the said address be presented to Her Majesty by the Lords with White Staves.

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ORDERS OF THE DAY.

Message from the Queen—

ARMY RESERVE FORCES—

Her Majesty's Message [1st April] *considered*:—Message again read .. 858

Moved, "That an humble Address be presented to Her Majesty, thanking Her Majesty for Her Most Gracious Message communicating to this House Her Majesty's intention to cause the Reserve Force, and the Militia Reserve Force, or such part thereof as Her Majesty should think necessary, to be forthwith called out for permanent service,"—(*Mr. Chancellor of the Exchequer.*)

Amendment proposed,

At the end of the Question, to add the words "but that this House regrets that Her Majesty's Ministers have thought it right to advise the calling out of Her Majesty's Reserve Forces, considering that no great emergency has been shown to exist, and that such calling out of the Reserves is neither prudent in the interests of European peace, necessary for the safety of the country, nor warranted by the state of matters abroad,"—(*Sir Wilfrid Lawson*) 893

Question proposed, "That those words be there added:"—After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. E. Jenkins*:)—Motion *agreed to*:—Debate *adjourned* till *To-morrow*.

CONWAY BRIDGE [COMPOSITION OF DEBT]—

Considered in Committee 942

Resolution *agreed to*; to be reported upon *Thursday*.

Pier and Harbour Orders Confirmation (No. 1) Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Viscount Sandon, Mr. J. G. Talbot*); *presented*, and read the first time [Bill 148] 942

General Police and Improvement (Scotland) Act, 1862, Amendment Bill—*Ordered* (*Mr. M'Lagan, Mr. Orr Ewing, Colonel Mure*); *presented*, and read the first time [Bill 147] 943

Thames River (Prevention of Floods) Bill—
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Debate *adjourned* till *To-morrow*.

LORDS, TUESDAY, APRIL 9.

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Factories and Workshops Bill (No. 57)—
Moved, "That the Bill be now read 2^a,"—(*The Lord Steward*) .. 943
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Amendments made; and Bill to be read 3^a on *Monday* next, and to be *printed,* as amended. (No. 70.)

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Presented (*The Lord President*); read 1^a, and *referred* to the Examiners (No. 67) .. 959

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ARMY RESERVE FORCES—
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After long debate, Question put:—The House *divided;* Ayes 64, Noes 319; Majority 255.—(Div. List, No. 101.)
Div. List, Ayes and Noes 1038
Main Question put.
Resolved, That an humble Address be presented to Her Majesty, thanking Her Majesty for Her Most Gracious Message communicating to this House Her Majesty's intention to cause the Reserve Force, and the Militia Reserve Force, or such part thereof as Her Majesty should think necessary, to be forthwith called out for permanent service.
To be presented by Privy Councillors.

PUBLIC WORKS LOANS, EPPING FOREST RURAL SANITARY AUTHORITY, AND WIGAN PARISH CHURCH [COMPOSITION AND CANCELLATION OF DEBTS]—
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COMMONS, WEDNESDAY, APRIL 10.

ORDERS OF THE DAY.

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Moved, "That the Bill be now read a second time,"—(*Mr. Macdonald*) .. 1042
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "any alteration in the Law of Liability of Employers for Injuries to those in their employ should be founded on the Report of the Select Committee of last Session on the subject; and that, considering the importance of the question, affecting, as it does, all classes of the community, any measure on the subject should be introduced by Government,"—(*Mr. Tennant,*)—instead thereof.
Question proposed, "That the words proposed to be left out stand part of the Question."
After debate, it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

Hospitals, &c. (Scotland) Bill [Bill 21]—
Moved, "That the Order for the Second Reading of the said Bill be read and discharged,"—(*Mr. M'Laren*) 1072
Question put, and *agreed to*:—Bill *withdrawn.*

Idiots, &c. (Ireland) Bill—*Ordered* (*Mr. Arthur Moore, Mr. Meldon, Mr. O'Shaughnessy*); *presented,* and read the first time [Bill 149] 1072

LORDS, THURSDAY, APRIL 11.

Endowed Schools and Hospitals (Scotland) Bill (No. 56)—
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After short debate, House in Committee.
After short time spent therein, Bill *reported,* without Amendment; and to be read 3ª *To-morrow.*

ECCLESIASTICAL COMMISSION—MR. CHARLES ARMSTRONG—Question, Observations, The Earl of Sandwich; Reply, The Earl of Chichester .. 1081
On the Motion of the Earl of CHICHESTER, the Correspondence was laid before the House, and ordered to be *printed.* (No. 74.)

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COMMONS, THURSDAY, APRIL 11.

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ARMY—THE ROYAL ENGINEER DEPARTMENT—Question, Sir Arthur Guinness; Answer, Colonel Stanley 1092

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ROYAL WARRANT, 1870—TIME FOR PENSION—Question, General Shute; Answer, Colonel Stanley 1095

THE MURDER OF THE EARL OF LEITRIM—Question, Mr. Whitwell; Answer, The Attorney General for Ireland 1095

NAVY—WAR MATERIAL AT TENEDOS—Question, Sir George Campbell; Answer, Mr. W. H. Smith 1095

RUSSIA—ROUMANIA—Question, Mr. J. Cowen; Answer, The Chancellor of the Exchequer 1096

PARLIAMENT—PUBLIC BUSINESS—THE EASTER RECESS—

Moved, "That the Orders of the Day subsequent to the Public Works Loans Bill be postponed until after the Notice of Motion for leave to bring in a Bill for establishing a Code of Indictable Offences,"—(*Mr. Chancellor of the Exchequer*) 1096

After short debate, Motion *agreed to*.

ORDERS OF THE DAY.

WAYS AND MEANS—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed, "That, on and after the first day of June, one thousand eight hundred and seventy-eight, in lieu of the Annual Duty of Five Shillings imposed by the Act of the thirtieth and thirty-first years of Her Majesty's reign, chapter five, there shall be granted and charged the Annual Duty of Seven Shillings and Sixpence for and in respect of every Dog of the age of Two Months or upwards, for which a Licence to keep the same shall be taken out under the said Act, such Licence terminating on the thirty-first day of December following the day on which it is granted" 1105

After debate, Amendment proposed, to leave out the word "Two," in order to insert the word "Six,"—(*Mr. Monk.*)

Question proposed, "That the word 'Two' stand part of the Resolution:" —After further debate, Question put, and *negatived*:—The word "Six" *inserted*.

After further debate, Main Question, as amended, put, and *agreed to*.

Resolution to be reported *To-morrow*, at Two of the clock; Committee to sit again *To-morrow*, at Two of the clock.

Customs and Inland Revenue Bill [Bill 146]—

Moved, "That the Bill be now read a second time,"—(*Mr. Raikes*) .. 1181

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House regrets that it should be proposed to raise that portion of the Ways and Means of the year which is to be met out of indirect taxation by increasing the Tobacco Duties, which are already so high as to cause an enormous amount of smuggling, and so assessed as that the Tobacco commonly consumed by the poor is taxed at 500 per cent upon its value, and that commonly consumed by the rich at not more than 5 per cent,"—(*Sir Charles W. Dilke,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 164, Noes 31; Majority 133.—(Div. List, No. 102.)

Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *Monday* next

Fresh Water Fish Protection Bill [Bill 131]—

Moved, "That the Bill be now read a second time,"—(*Mr. Mundella*) .. 1190

After short debate, Motion *agreed to:*—Bill read a second time, and *committed* to a Select Committee.

MUTINY AND MARINE MUTINY ACTS—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be appointed to examine into the Acts commonly called the Mutiny Act and the Marine Mutiny Act, and into the Law relating to the subject-matters of those Acts, or made in pursuance of such Acts, and to report on any amendments it may be desirable to make therein, and on the form in which legislation on the matters aforesaid should be promoted:"—That the Committee do consist of Twenty-one Members:—List of the Committee 1191

Moved, "That Instructions be given to the Committee to consider the propriety of granting an appeal from the decision of a regimental district, or general court martial to the Court of Queen's Bench, except in the case of courts martial held during war time,"—(*Mr. Stacpoole.*)

After short debate, Amendment, by leave, *withdrawn:*—Select Committee *appointed* and *nominated.*

Conway Bridge (Composition of Debt) Bill—Resolution [April 8] *reported,* and *agreed to:*—Bill *ordered* (*Sir Henry Selwin-Ibbetson, Mr. Gerard Noel*); *presented,* and read the first time [Bill 150] 1192

ORDERS OF THE DAY—

Ordered, That the Government Order of the Day appointed for *To-morrow* be taken at Two of the clock,—(*Sir Henry Selwin-Ibbetson.*)

LORDS, FRIDAY, APRIL 12.

PRIVATE BILLS—

Ordered that Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Easter, be extended to the first day on which the House shall sit after the recess.

Endowed Schools and Hospitals (Scotland) Bill (No. 56)—

Bill read 3ª (according to Order) 1193

Amendments made; Bill *passed,* and sent to the Commons.

ARMY — MILITIA ARTILLERY UNIFORMS — Observations, Lord Waveney; Reply, Viscount Bury:—Short debate thereon 1193

Crime in Ireland—Resolution—

Moved to resolve, That it is the duty of Her Majesty's Government to ask for such measures as may enable them more effectually to suppress outrage and enforce security of life in Ireland,—(*The Lord Oranmore and Browne.*) 1195

After debate, Motion (by leave of the House) *withdrawn*.

Moved for, Returns showing all crimes against human life, firing into dwelling houses, administering of unlawful oaths, demands for money, threatening letters or other intimidation, incendiary fires, robbery of arms, which have been reported by the Royal Irish Constabulary between 1st January 1875 and 28th February 1878, distinguishing so far as can be done agrarian crimes, and showing whether any person or persons have been prosecuted for such offences, and whether acquitted or found guilty,—(*The Lord Oranmore and Browne.*)

Motion *agreed to*:—Returns *ordered* to be laid before the House.

The Eastern Question—Prince Gortchakoff's Circular and Memorandum—Question, Observations, Earl Granville; Reply, The Duke of Richmond and Gordon 1219

COMMONS, FRIDAY, APRIL 12.

PUBLIC PETITIONS.

Public Petitions Committee—Report—

Special Report [11th April], from the Select Committee on Public Petitions, read 1220

Moved, "That the said Order be discharged,"—(*Sir Charles Forster*:)—After short debate, Motion *agreed to*:—Order *discharged*.

QUESTIONS.

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India—The Moar Succession—Question, Mr. Ernest Noel; Answer, Sir Michael Hicks-Beach 1228

Army—Supply of Medical Officers—Report of Committee—Question, Mr. Meldon; Answer, Colonel Stanley 1228

South Africa—Outbreak of the Native Tribes—Military Operations—Questions, Colonel Mure, Sir George Campbell; Answers, Colonel Stanley 1229

Parliament—Public Business—Morning Sittings—Observations, Mr. Rylands 1229

Moved, "That this House do now adjourn,"—(*Mr. Rylands*:)—After short debate, Motion, by leave, *withdrawn*.

ORDERS OF THE DAY.

Ways and Means—Resolution [April 11] reported 1239

After short debate, Resolution *agreed to*.

Instruction to the Committee on the Customs and Inland Revenue Bill, That they have power to make provision therein in pursuance of the said Resolution.

[*April* 12.] Page

Public Works Loans Bill [Bill 138]—

Order read, for resuming Adjourned Debate on Question [4th April], "That the Bill be now read a second time:"—Question again proposed:—Debate *resumed* 1251

After short debate, Question put, and *agreed to:*—Bill read a second time, and *committed* for *Monday* next.

Highways Bill [Bill 95]—

Order read, for resuming Adjourned Debate on Question [18th February], "That the Bill be now read a second time:"—Question again proposed:—Debate *resumed* 1257

After short debate, Question put, and *agreed to:*—Bill read a second time, and *committed* for *Monday* next.

Statute Law Revision (Ireland) Bill [Bill 122]—

Moved, "That the Bill be now read a second time,"—(*Mr. Attorney General for Ireland*) 1258

It being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

The House suspended its Sitting at five minutes to Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE MURDER OF THE LATE LORD LEITRIM—Resolution (*Mr. O'Donnell*) 1259

Notice being taken, that Strangers were present, Mr. Speaker forthwith put the Question, "That Strangers be ordered to withdraw?"—The House *divided;* Ayes 57, Noes 12; Majority 45.

Div. List, Ayes and Noes 1262

After some time (Strangers having been re-admitted)—

Question again proposed, "That Mr. Speaker do now leave the Chair:"—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the action of the Government in Donegal with reference to the murder of the late Lord Leitrim is unconstitutional, unsuited to promote the ends of justice, and calculated to foster disbelief in the impartiality of the Law,"—(*Mr. O'Donnell,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—Question put, and *agreed to.*

Main Question proposed, "That Mr. Speaker do now leave the Chair:"——Motion, by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

Bills of Sale Bill [Bill 129]—

Bill, as amended, *considered* 1263

Amendments made; Bill to be read the third time upon *Monday* next.

LORDS, MONDAY, APRIL 15.

RESERVE FORCES—Her Majesty's Answer to the Address *reported* .. 1265

SOUTH AFRICA—OUTBREAK OF THE NATIVE TRIBES—Question, The Earl of Kimberley; Answer, Earl Cadogan 1265

MILITIA ARTILLERY UNIFORMS — Question, Lord Waveney; Answer, Viscount Bury 1266

[*April* 15.]

Medical Act, 1858, Amendment Bill (No. 44)—
Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 1267
After short debate, Motion *agreed to*:—Bill read 2ª.

PROJECTILES—SHELLS AND ARMOUR-PLATES—MOTION FOR RETURNS—
Moved that there be laid before this House, Return of the trials of shells against iron plates, stating the general result, and also the weight and shape of the various shells, and the thickness of the iron targets,—(*The Duke of Somerset*) 1271
After short debate, Motion (by leave of the House) *withdrawn.*

Railway Returns (Continuous Brakes) Bill (No. 75)—
Moved, "That the Bill be now read 2ª,"— (*The Lord Henniker*) .. 1273
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

Telegraphs Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 77) .. 1274

COMMONS, MONDAY, APRIL 15.

PRIVATE BILLS.

Tramways (*Use of Mechanical Power*) *Bills*—RESOLUTION—
Moved, "That it be an Instruction to the Committee on Tramways (Use of Mechanical Power) Bills, that they have power to deal with all Tramway Bills of the present Session, whether opposed or unopposed, which have been referred to them, notwithstanding that the Promoters may be desirous to withdraw from any such Bills the Clauses whereby it was proposed to authorize the use of steam or other mechanical power:—That the Dublin Southern District Tramways Bill be re-committed to the said Committee" 1275
After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. O'Conor*:)—Motion, by leave, *withdrawn*:—Main Question put, and *agreed to.*

QUESTIONS.

NAVAL STATIONS IN THE PACIFIC — ESQUIMALT HARBOUR—Question, Sir Edward Watkin; Answer, The Chancellor of the Exchequer .. 1283
POST OFFICE—THE INDIAN MAILS—Question, Mr. Hopwood; Answer, Lord John Manners 1283
SPAIN—THE CUBAN INSURRECTION—Question, Sir Charles W. Dilke; Answer, Mr. Bourke 1284
THE IRISH FISHERIES—MACKEREL FISHING AT KINSALE—Question, Mr. Collins; Answer, The Attorney General for Ireland 1284
PARLIAMENT—BUSINESS OF THE HOUSE—THE COUNTY GOVERNMENT BILL—Question, Mr. Clare Read; Answer, The Chancellor of the Exchequer 1285
METROPOLIS—WATER SUPPLY — Question, Mr. Fawcett; Answer, Mr. Sclater-Booth 1285
ARMY QUARTERMASTERS—Question, Mr. Stacpoole; Answer, Colonel Loyd Lindsay 1286
SOUTH AFRICA—THE WAR EXPENDITURE—Question, Sir George Campbell; Answer, Colonel Stanley 1286
INDIA—TRADE BETWEEN INDIA AND CHINA—Question, Mr. Grant; Answer, Mr. E. Stanhope 1286
PARLIAMENT — PUBLIC BUSINESS—THE VALUATION BILL—LEGISLATION—Question, Sir Walter B. Barttelot; Answer, Mr. Sclater-Booth .. 1287
IRELAND—APPOINTMENT OF A CORONER FOR WESTMEATH—Question, Mr. Stacpoole; Answer, The Attorney General for Ireland 1287

THE EASTERN QUESTION — ELECTION OF A PRINCE OF BULGARIA—Notice of Question, Sir H. Drummond Wolff 1287

PARLIAMENT—PUBLIC BUSINESS—CONTAGIOUS DISEASES (ANIMALS) BILL—Questions, Mr. Chaplin, Mr. W. E. Forster; Answers, The Chancellor of the Exchequer 1288

ARMY RESERVE FORCES—Her Majesty's Answer to the Address *reported* .. 1288

ORDERS OF THE DAY.

Customs and Inland Revenue Bill [Bill 146]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Raikes*) 1289

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to employ the police as prosecutors for the recovery of Excise penalties,"—(*Mr. Hopwood,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee 1292

After long time spent therein, Bill *reported;* as amended, to be considered *To-morrow* at Two of the clock.

Public Works Loans Bill [Bill 138]—

Order for Committee read 1351

After short debate, Bill *considered* in Committee.

After short time spent therein, Bill *reported,* without Amendment; to be read the third time *To-morrow,* at Two of the clock.

Adulteration of Seeds Act (1869) Amendment Bill [Bill 139]—

Moved, "That the Bill be now read a second time,"—(*Mr. Clare Read*) .. 1356

Motion *agreed to:*—Bill read a second time, and *committed* for *Monday,* 6th May.

Blind and Deaf-Mute Children (Education) (*re-committed*) **Bill**—

Order for Committee read 1357

Moved, "That this House will To-morrow, at Two of the clock, resolve itself into the said Committee,"—(*Mr. Wheelhouse.*)

Amendment proposed, to leave out the words "this day, at Two of the clock," in order to insert the words "upon Monday 6th May,"—(*Sir Charles W. Dilke,*)—instead thereof.

Question proposed, "That the words 'this day, at Two of the clock,' stand part of the Question:"—After short debate, Question put:— The House *divided;* Ayes 44, Noes 15; Majority 29.—(Div. List, No. 107.)

Main Question put, and *agreed to:*—Committee *deferred* till *To-morrow,* at Two of the clock.

MOTIONS.

Burial Law Amendment Bill—

Considered in Committee 1358

Moved, "That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend and declare the Law of Burial,"—(*Mr. Balfour.*)

After short debate, Motion *agreed to:*—Resolution *reported:*—Bill *ordered* (*Mr. Balfour, Lord Francis Hervey, Mr. Cowper-Temple, Mr. Wait*); *presented,* and read the first time [Bill 154.]

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GOLD AND SILVER HALL MARKING—
Select Committee *appointed*, "to inquire into the operation of the Acts relating to the Hall Marking of Gold and Silver manufactures,"—(*Sir Henry Jackson*) .. 1359

Tramways Orders Confirmation (No. 1) Bill—*Ordered* (*Mr. J. G. Talbot, Viscount Sandon*); *presented*, and read the first time [Bill 151] 1359

Tramways Orders Confirmation (No. 2) Bill—*Ordered* (*Mr. J. G. Talbot, Viscount Sandon*); *presented*, and read the first time [Bill 152] 1359

Gas and Water Orders Confirmation Bill—*Ordered* (*Mr. J. G. Talbot, Viscount Sandon*); *presented*, and read the first time [Bill 153] 1360

County Courts Jurisdiction (No. 2) Bill — Committee *nominated*:—List of the Committee 1360

County Representative Councils (Ireland) Bill—*Ordered* (*Mr. Butt, Mr. M'Carthy Downing*); *presented*, and read the first time [Bill 155] 1360

LORDS, TUESDAY, APRIL 16.

CHAIRMAN OF COMMITTEES—
Moved, That the Lord Steward be appointed to take the Chair in the Committees of the Whole House in the absence of the Lord Redesdale: *Agreed to.*

Railway Returns (Continuous Brakes) Bill (*Lords*) (No. 75)—
House in Committee (according to Order) 1361
Bill *reported*, without Amendment; and to be read 3ª on *Monday*, the 13*th of May* next.

EMPLOYERS' LIABILITY FOR INJURIES TO THEIR SERVANTS—Question, Observations, Earl De La Warr; Reply, Earl Beauchamp 1361
THE EASTERN QUESTION—THE AUSTRO-HUNGARIAN MONARCHY—SPEECH OF THE EARL OF DERBY—Statement, The Marquess of Salisbury:—Short debate thereon 1362

THE EASTER RECESS—ADJOURNMENT OF THE HOUSE—
On the Motion of The Earl of BEACONSFIELD, House adjourned to Monday the 13th of May next.

COMMONS, TUESDAY, APRIL 16.

PRIVATE BILLS.

PRIVATE BILLS—
Ordered, That Standing Order 129 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to Monday the 6th day of May next,—(*The Chairman of Ways and Means.*)

QUESTIONS.

THE ARMY RESERVES—THE METROPOLITAN POLICE—Question, Sir Charles W. Dilke; Answer, Mr. Assheton Cross 1365
CRIME (IRELAND)—MURDER OF THE EARL OF LEITRIM AND OTHERS—Questions, Mr. Lambert, Mr. Sullivan; Answers, The Attorney General for Ireland 1365
THE EASTERN QUESTION—THE TREATY OF SAN STEFANO—THE SEAPORT OF BATOUM—Question, Captain Pim; Answer, The Chancellor of the Exchequer 1366

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SOUTH AFRICA — POSITION OF AFFAIRS — Questions, Mr. Knatchbull-Hugessen; Answers, Sir Michael Hicks-Beach 1367

PRISONS (SCOTLAND) ACT—PRISON BOARD CLERKS—Question, Mr. M'Laren; Answer, The Lord Advocate 1368

PRIVATEERING—Question, Captain Pim; Answer, The Chancellor of the Exchequer 1369

METROPOLIS — THE UNION OF BENEFICES ACT — Question, Mr. Percy Wyndham; Answer, Lord George Hamilton 1370

ELEMENTARY EDUCATION ACT — SUPERIOR ELEMENTARY EDUCATION — Question, Mr. Wheelhouse; Answer, Lord George Hamilton .. 1371

ARMY — RETIRED VOLUNTEER OFFICERS — Question, Colonel Beresford; Answer, Colonel Stanley 1372

TURKEY—CRETE—Questions, Mr. Shaw Lefevre, Mr. Monk; Answers, Mr. Bourke 1372

SOUTH AFRICA — THE WAR EXPENDITURE — Question, Mr. Whitwell; Answer, The Chancellor of the Exchequer 1373

THE EASTERN QUESTION—MINISTERIAL STATEMENT—Questions, Observations, Mr. W. E. Forster; Reply, The Chancellor of the Exchequer .. 1374

MOTIONS.

PARLIAMENT—THE EASTER RECESS—

Moved, "That this House will, at the rising of the House this day, adjourn till Monday the 6th day of May next,"—(*The Chancellor of the Exchequer*) 1375

After short debate, Amendment proposed, to leave out the words "6th day of May next," in order to add the words "29th day of this instant April,"—(*Mr. Fawcett,*)—instead thereof.

Question proposed, "That the words '6th day of May next' stand part of the Question:"—After further short debate, Question put:—The House *divided;* Ayes 168, Noes 10; Majority 158.—(Div. List, No. 108.)

Main Question put:—After short debate, *Resolved,* That this House will, at the rising of the House this day, adjourn till Monday the 6th day of May next.

PARLIAMENT — PRIVILEGE — MR. O'DONNELL AND THE "GLOBE" — RESOLUTION—

Moved, "That the said article of 'The Globe' is a breach of the Privileges of this House,"—(*Mr. O'Donnell*) 1399

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "this House do now proceed to the Orders of the Day,"—(*Mr. Chancellor of the Exchequer.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *negatived.*

Words *added:*—Main Question, as amended, put.

Resolved, That this House do now proceed to the Orders of the Day.

ORDERS OF THE DAY.

Customs and Inland Revenue Bill [Bill 146]—

Moved, "That the Bill be now taken into Consideration,"—(*Mr. Raikes*) 1413

After short debate, it being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

The House suspended its Sitting at five minutes to Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Interments in Churchyards Bill [Bill 123]—
After short debate, Second Reading *deferred* till *Tuesday* 7th May .. 1416

Customs and Inland Revenue Bill [Bill 146]—
Order read, for resuming Adjourned Debate on Question [16th April], "That the Bill be now taken into Consideration:"—Question again proposed:—Debate *resumed* 1417
Question put, and *agreed to*:—Bill *considered.*
Amendments made:—Bill to be read the third time upon *Monday* 6th May.

COMMONS, MONDAY, MAY 6.

QUESTIONS.

The Eastern Question—The Negotiations—Questions, Observations, The Marquess of Hartington; Reply, The Chancellor of the Exchequer .. 1420
Moved, "That this House do now adjourn,"—(*Mr. Fawcett*:)—After debate, Motion, by leave, *withdrawn.*

Ways and Means—The Dog Tax—Question, Mr. Thomson Hankey; Answer, The Chancellor of the Exchequer 1449
Parliament—Public Business—Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer 1450

ORDERS OF THE DAY.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Public Buildings and Offices—Report of the Committee—Observations, Mr. Baillie Cochrane; Reply, The Chancellor of the Exchequer 1450
Customs and Inland Revenue Bill — Observations, Question, Mr. Dodson; Reply, The Chancellor of the Exchequer 1452

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—Civil Service Estimates—

(In the Committee.)

Class II.—Salaries and Expenses of Public Departments.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £37,292, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Offices of the House of Lords" .. 1452
After short debate, Motion made, and Question proposed, "That a sum, not exceeding £37,092, be granted, &c.,"—(*Mr. Edward Jenkins*:)—After further short debate, Motion, by leave, *withdrawn.*
Original Question again proposed:—Motion made, and Question proposed, "That a sum, not exceeding £36,967, be granted, &c.,"—(*Mr. O'Connor Power*) .. 1462
After short debate, Question put:—The Committee *divided;* Ayes 18, Noes 72; Majority 54.—(Div. List, No. 109.)
Original Question again proposed:—Motion made, and Question proposed, "That a sum, not exceeding £37,192, be granted, &c.,"—(*Mr. Biggar*) 1471
After short debate, Question put:—The Committee *divided;* Ayes 29, Noes 81; Majority 52.—(Div. List, No. 110.)
Original Question put:—After short debate, Vote *agreed to.*
(2.) Motion made, and Question proposed, "That a sum, not exceeding £41,907, be granted to Her Majesty, to complete the sum necessary to defray the Charge which

SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses in the Offices of the House of Commons" .. 1479

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Parnell*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question put:—After short debate, Vote *agreed to.*

(3.) Motion made, and Question proposed, "That a sum, not exceeding £49,710, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses in the Department of Her Majesty's Treasury" 1481

Motion made, and Question proposed, "That a sum, not exceeding £46,710, be granted, &c.,"—(*Mr. Parnell*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(4.) £73,345, to complete the sum for the Home Office.—After short debate, Vote *agreed to* 1483

(5.) £61,065, to complete the sum for the Foreign Office.—After short debate, Vote *agreed to* 1486

(6.) £32,217, to complete the sum for the Colonial Office.

(7.) £27,518, to complete the sum for the Privy Council Office.—After short debate, Vote *agreed to* 1490

(8.) Motion made, and Question proposed, "That a sum, not exceeding £2,305, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of Lord Privy Seal" .. 1497

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. O'Connor Power*:)—Motion, by leave, *withdrawn.*

After further short debate, Original Question put:—The Committee *divided;* Ayes 80, Noes 33; Majority 47.—(Div. List, No. 111.)

Resolutions to be reported upon *Thursday;* Committee to sit again upon *Wednesday.*

Pier and Harbour Orders Confirmation (No. 2) Bill—*Considered* in Committee:—Resolution *agreed to,* and *reported*:— Bill *ordered* (*Viscount Sandon, Sir Henry Selwin-Ibbetson*); *presented,* and read the first time [Bill 159] 1509

COMMONS, TUESDAY, MAY 7.

PRIVATE BILLS.

Bermondsey Vestry Bill (*Lords*) (*by Order*)—

Moved, "That the Bill be now read a second time" .. 1509

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Stansfeld.*)

Question proposed, "That the word 'now' stand part of the Question:" —After short debate, Question put:—The House *divided;* Ayes 117, Noes 122; Majority 5.—(Div. List, No. 112.)

Main Question, as amended, put, and *agreed to*:—Second Reading *put off* for six months.

NOTICES OF MOTIONS.

THE EASTERN QUESTION—Notices of Motions, Mr. Chamberlain, Captain Pim 1517

QUESTIONS.

INLAND REVENUE — DOG TAX (IRELAND)—Question, Mr. Charles Lewis; Answer, Mr. J. Lowther 1517

FOOD AND DRUGS ACT, 1875—ADULTERATED LIQUOR—Question, Mr. A. Moore; Answer, Mr. J. Lowther 1518

Army—The New Line or Ex-Indian Regiments—Report of the Committee—Question, Colonel North; Answer, Colonel Stanley .. 1594

South Africa—Expenses of the British Troops in the Cape Colony—Question, Sir George Campbell; Answer, Colonel Stanley .. 1594

Army — Artificers of the Royal Artillery — Question, Colonel Arbuthnot; Answer, Colonel Stanley 1595

Turkey—Murder of Mr. Ogle—Questions, Mr. H. Samuelson; Answers, Mr. Bourke 1596

Rivers Pollution Prevention Act, 1876 — Question, Mr. Tennant; Answer, Mr. Sclater-Booth 1596

The Military Forces—Expenses of Indian Contingent—Question, Mr. Newdegate; Answer, Mr. Assheton Cross; Notice of Question, The Marquess of Hartington 1597

ORDERS OF THE DAY.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Post Office—Mail Contracts—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the enforcing of a Contract which makes no allowance for fogs or bad weather leads to great and unjustifiable risks, by inducing, and even compelling, the masters of mail packets to neglect the necessary precautions in such weather, and thereby to endanger life and property; and that in such Contracts the give and take system ought to be adhered to,"—(*Mr. Bentinck*,)—instead thereof 1598

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to.*

Irish Church Temporalities Commissioners—Sale of Lands—Observations, Mr. Parnell:—Short debate thereon 1601

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—Civil Service Estimates—

(In the Committee.)

Class II.—Salaries and Expenses of Public Departments.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £141,612, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments" 1607

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £140,712, be granted, &c.,"—(*Mr. Biggar*:)—After further short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £27,156, to complete the sum for the Charity Commission.—After short debate, Vote *agreed to* 1611

(3.) Motion made, and Question proposed, "That a sum, not exceeding £22,519, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Civil Service Commission" .. 1614

Motion made, and Question proposed, "That a sum, not exceeding £20,519, be granted, &c.,"—(*Mr. O'Shaughnessy*:)—After short debate, Question put:—The Committee *divided;* Ayes 50, Noes 60; Majority 10.—(Div. List, No. 113.)

Original Question put, and *agreed to.*

(4.) £14,141, to complete the sum for the Copyhold, Inclosure, and Tithe Commission.

(5.) £6,830, to complete the sum for the Inclosure and Drainage Acts, Imprest Expenses.

(6.) Motion made, and Question proposed, "That a sum, not exceeding £43,325, be granted to Her Majesty, to complete the sum necessary to defray the Charge

Supply—Civil Service Estimates—Committee—*continued.*

which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Department of the Comptroller and Auditor General of the Exchequer" 1619

Motion made, and Question proposed, "That a sum, not exceeding £43,125, be granted, &c.,"—(*Mr. Biggar* :)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(7.) £5,085, to complete the sum for Friendly Societies.—After short debate, Vote *agreed to* 1627

(8.) Motion made, and Question proposed, "That a sum, not exceeding £320,193, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Local Government Board, including various Grants in aid of Local Taxation" 1630

After short debate, Motion made, and Question proposed, "That the Item of £2,000, for the Salary of the President of the Local Government Board, be omitted from the proposed Vote,"—(*Mr. Parnell* :)—After further short debate, Motion, by leave, *withdrawn.*

After further debate, original Question put, and *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

Customs and Inland Revenue Bill [Bill 146]—

Moved, "That the Bill be now read the third time,"—(*Mr. Raikes*) .. 1650

Amendment proposed,

To leave out the words "now read the third time," in order to add the words "re-committed, in order to amend it, so as to establish a difference of two shillings per pound between the Duty on unmanufactured tobacco and cigars, instead of one shilling and ten pence, as provided by the Bill,"—(*Mr. Ritchie,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 184, Noes 82; Majority 102.—(Div. List, No. 114.)

Main Question, "That the Bill be now read the third time," proposed:—*Moved,* "That the Debate be now adjourned,"—(*Mr. Dillwyn* :)—After debate, Question put:—The House *divided;* Ayes 85, Noes 170; Majority 85.—(Div. List, No. 115.)

Main Question, "That the Bill be now read the third time," again proposed:—*Moved,* "That this House do now adjourn,"—(*Mr. Hussey Vivian* :)—After short debate, Motion, by leave, *withdrawn.*

Main Question, "That the Bill be now read the third time," again proposed:—*Moved,* "That the Debate be adjourned until Monday,"—(*Mr. Chancellor of the Exchequer* :)—Motion *agreed to:*—Debate *adjourned* till *Monday* next.

Supply—Report—Resolutions [May 6] reported 1686

First two Resolutions *agreed to.*

Resolution 3:—*Moved,* "That this House doth agree with the Committee in the said Resolution:"—Resolution *agreed to:*—Subsequent Resolutions *agreed to.*

Public Health Act (1875) Amendment (*re-committed*) **Bill**—

Bill *considered* in Committee 1686

Bill *reported;* as amended, to be considered upon *Monday* next.

MOTIONS.

Parliamentary and Municipal Elections (Ballot Papers) Bill

Motion for Leave (*Sir Charles W. Dilke*) 1687

Motion *agreed to:*—Bill to assimilate the Law of England, Scotland, and Ireland, with regard to the marking of Ballot Papers, *ordered* (*Sir Charles W. Dilke, Sir Henry James, Mr. Mark Stewart, Major Nolan*); *presented,* and read the first time [Bill 172.]

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Admiralty and War Office (Retirement of Officers) Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Colonel Stanley, Mr. William Henry Smith*); *presented,* and read the first time [Bill 169] 1687

General Police and Improvement Provisional Order (Paisley) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Cross*); *presented,* and read the first time [Bill 170] .. 1687

Public Health (Scotland) Provisional Order (Lochgelly) Bill — *Ordered* (*The Lord Advocate, Mr. Secretary Cross*); *presented,* and read the first time [Bill 171] .. 1687

Acknowledgment of Deeds by Married Women (Ireland) Bill — *Ordered* (*Mr. Meldon, Mr. O'Shaughnessy*); *presented,* and read the first time [Bill 173] .. 1687

Local Government Provisional Order (Darenth Valley) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 175] 1688

COMMONS, FRIDAY, MAY 10.

NOTICE OF MOTION AND QUESTIONS.

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT—Notice of Questions, Sir Henry James, Sir Henry Havelock; Notice of Motion, Mr. A. Mills 1688

QUESTIONS.

RAILWAYS—THE LATE SIR FRANCIS GOLDSMID—Question, Mr. Isaac; Answer, Viscount Sandon 1689

RAILWAY TIME TABLES—Question, Mr. J. S. Hardy; Answer, Viscount Sandon 1690

THE HERRING FISHERY COMMISSION REPORT—LEGISLATION—Question, The Marquess of Lorne; Answer, Mr. Assheton Cross 1690

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT—Question, Major Nolan; Answer, Mr. E. Stanhope 1691

TURKEY—CIRCASSIANS IN SYRIA—Question, Mr. Baxter; Answer, Mr. Bourke 1691

UNDER SECRETARY OF STATE FOR SCOTLAND—Question, Mr. Baxter; Answer, Mr. Assheton Cross 1691

ARMY—FIRST CLASS ARMY RESERVE—Question, Major Nolan; Answer, Colonel Stanley 1692

ARMY AND NAVY SERVICES—EXCESS—Question, Mr. Rylands; Answer, The Chancellor of the Exchequer 1692

SOUTH AFRICA — THE KAFFIR OUTBREAK — Question, Mr. Knatchbull-Hugessen; Answer, Sir Michael Hicks-Beach 1692

ARMY—PAY OF RESERVE SOLDIERS—Question, Mr. Pell; Answer, Colonel Stanley 1693

ORDERS OF THE DAY.

SUPPLY—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

PAROCHIAL CHARITIES OF THE CITY OF LONDON—RESOLUTION—

Amendment proposed;

To leave out from the word "That" to the end of the Question, in order to add the words "it is desirable that Her Majesty's Government should, at the earliest possible date, introduce some legislative measure carrying into effect the recommendations of the Twenty-fourth Report of the Charity Commissioners with respect to the Parochial Charities of the City of London,"—(*Mr. James,*)—instead thereof 1694

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

SUPPLY—Order for Committee read—*continued.*

JOINT STOCK COMPANIES ACTS, 1862 AND 1867—RESOLUTION—
Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, further provision is required for securing the bonâ fide character of undertakings registered under and for enforcing the returns required by the Joint Stock Companies Acts of 1862 and 1867,"—(*Mr. Gregory*,)—instead thereof 1705

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to.*

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—

PRIVILEGES OF THE HOUSE—Observations, Dr. Kenealy 1712
[House counted out.]

LORDS, MONDAY, MAY 13.

MILITARY FORCES OF THE CROWN—EMPLOYMENT OF INDIAN TROOPS—Notice, Earl Granville 1713

EMPLOYERS' LIABILITY FOR INJURIES TO THEIR SERVANTS—Question, Observations, Earl De La Warr; Reply, Earl Beauchamp .. 1713

COMMONS, MONDAY, MAY 13.

QUESTIONS.

COLONEL WELLESLEY—Question, Mr. Benett-Stanford; Answer, The Chancellor of the Exchequer 1714

PRISONS ACT, 1877—THE REGULATIONS—Question, Mr. E. Jenkins; Answer, Mr. Assheton Cross 1716

THE PARIS EXHIBITION—GOVERNMENT WORKMEN—Question, Mr. E. Jenkins; Answer, Sir Henry Selwin-Ibbetson 1716

ROUMANIA—CUSTOMS TARIFF—Question, Mr. Serjeant Spinks; Answer, The Chancellor of the Exchequer 1717

ARMY—MARRIED SOLDIERS—Question, Major O'Beirne; Answer, Colonel Stanley 1717

THE MILITARY FORCES OF THE CROWN—NUMBERS—Question, Sir Henry James; Answer, The Chancellor of the Exchequer 1717

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT—PAY OF OFFICERS—Question, Sir Henry Havelock; Answer, Colonel Stanley .. 1718

ARMY—THE MILITIA—COMMISSIONS IN THE LINE—Question, Colonel Naghten; Answer, Colonel Stanley 1719

LOCAL TAXATION—Question, Sir George Campbell; Answer, Mr. Assheton Cross 1719

PRISONS ACT, 1877—GOVERNORS OF GAOLS—Question, Sir Joseph Bailey; Answer, Mr. Assheton Cross 1720

NOXIOUS VAPOURS COMMISSION—THE REPORT—Question, Colonel Blackburne; Answer, Mr. Sclater-Booth 1720

ARMY—FAMILIES OF RESERVES—Question, Major Nolan; Answer, Colonel Stanley 1721

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT—THE ESTIMATE—Question, Notice of Resolution, The Marquess of Hartington; Answer, The Chancellor of the Exchequer; Questions, Mr. Chamberlain, Captain Pim, Mr. Newdegate; Answers, The Chancellor of the Exchequer, Colonel Stanley; Observations, The Marquess of Hartington 1721

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL—THE 23RD CLAUSE—Question, Mr. Mellor; Answer, The Chancellor of the Exchequer .. 1724

ORDERS OF THE DAY.

Customs and Inland Revenue Bill [Bill 146]—

Order read, for resuming Adjourned Debate on Question [9th May], "That the Bill be now read the third time:"—Question again proposed:—Debate *resumed* 1725

After long debate, Question put:—The House *divided;* Ayes 111, Noes 19; Majority 92.—(Div. List, No. 116:)—Bill *passed.*

SUPPLY—*considered* in Committee—Civil Service Estimates—

(In the Committee.)

Class II.—Salaries and Expenses of Public Departments.

(1.) £12,594, to complete the sum for the Lunacy Commission.

(2.) Motion made, and Question proposed, "That a sum, not exceeding £42,535, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Mint, including Expenses of the Coinage" 1761

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £42,520, be granted, &c.,"—(*Mr. O'Donnell:*)—Question put, and *negatived.*

Original Question put, and *agreed to.*

(3.) £14,024, to complete the sum for the National Debt Office.

(4.) Motion made, and Question proposed, "That a sum, not exceeding £22,675, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, connected with the Patent Law Amendment Act, the Registration of Trade Marks Act, and the Registration of Designs Act" 1764

After short debate, Motion made, and Question proposed, "That the Item of £1,500, for the Salary of the Clerk to the Commissioners, be reduced by the sum of £500,"—(*Mr. Mellor:*)—After further short debate, Question put:—The Committee *divided;* Ayes 33, Noes 87: Majority 54.—(Div. List, No. 117.)

Original Question again proposed:—After short debate, Motion made, and Question proposed, "That the Item of £185, for the Salary of the Office Keeper, be omitted from the proposed Vote,"—(*Mr. Macdonald:*)—After further short debate, Question put:—The Committee *divided;* Ayes 15, Noes 108; Majority 93.—(Div. List, No. 118.)

Original Question again proposed:—Motion made, and Question proposed, "That the Item of £100, for the Salary of the Lord Chancellor's Messenger, be omitted from the proposed Vote,"—(*Mr. O'Donnell:*)—Motion, by leave, *withdrawn.*

After short debate, Original Question put, and *agreed to.*

(5.) Motion made, and Question proposed, "That a sum, not exceeding £20,247, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Department of Her Majesty's Paymaster General in London and Dublin" 1776

Motion made, and Question proposed, "That a sum, not exceeding £19,047, be granted, &c.,"—(*Mr. Biggar:*)—After short debate, Question put, and *negatived.*

Original Question put, and *agreed to.*

(6.) £8,353, to complete the sum for the Public Works Loan and West India Islands Relief Commission.

(7.) £18,277, to complete the sum for the Public Record Office.

(8.) £39,553, to complete the sum for the Registrar General's Office.

Resolutions to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £376,545, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Stationery, Printing, Binding, and Printed Books for the several Departments of Government in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, Printing, and Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office" .. 1781

After short debate, Motion made, and Question proposed, "That the Item of £3,000, for the Special Grant for Hansard's Debates, be omitted from the proposed Vote,"—(*Mr. O'Donnell:*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed:—Motion made, and Question proposed, "That a sum, not exceeding £376,245, be granted, &c.,"—(*Mr. Biggar:*)—Question put, and *negatived.*

SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

Original Question again proposed:—Whereupon Motion made, and Question proposed, "That a sum, not exceeding £376,445, be granted, &c.,"—(*Mr. Biggar*:)—Question put:—The Committee *divided;* Ayes 26, Noes 278; Majority 252.—(Div. List, No. 119.)

Original Question again proposed:—After short debate, Motion made, and Question proposed, "That a sum, not exceeding £376,145, be granted, &c.,"—(*Mr. O'Donnell*:)—After further short debate, Question put, and *negatived.*

Original Question again proposed:—*Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. O'Donnell*:)—After debate, Question put:—The Committee *divided;* Ayes 34, Noes 200; Majority 166.—(Div. List, No. 120.)

Original Question again proposed:—*Moved,* "That the Chairman do now leave the Chair,"—(*Mr. Parnell*:)—After short debate, Motion, by leave, *withdrawn.*

Resolutions to be reported *To-morrow;* Committee also report Progress; to sit again upon *Wednesday.*

Sale of Intoxicating Liquors on Sunday (Ireland) Bill—

Bill *considered* in Committee [*Progress 4th April*] 1812

After long time spent therein, Committee report Progress; to sit again upon *Thursday.*

COUNTY COURTS JURISDICTION (No. 2) BILL COMMITTEE—

Ordered, That the Select Committee on County Courts Jurisdiction (No. 2) Bill have power to send for persons, papers, and records,—(*Sir Eardley Wilmot.*)

Consecration of Churchyards Act (1867) Amendment Bill—Act read; *considered* in Committee:—Resolution *agreed to,* and *reported*:—Bill *ordered* (*Mr. Monk, Mr. Forsyth*) 1853

[House adjourned at half after Nine o'clock on Tuesday morning.]

LORDS, TUESDAY, MAY 14.

NEW PEERS—

The Right Honourable Gathorne Hardy created Viscount Cranbrook of Hemsted in the county of Kent.

The Right Honourable Sir Charles Bowyer Adderley, Knight Commander of the most distinguished Order of Saint Michael and Saint George, created Baron Norton of Norton-on-the-Moors in the county of Stafford.

CATTLE DISEASES BILL—CORRESPONDENCE—Question, The Marquess of Ripon; Answer, The Duke of Richmond and Gordon 1854

MILITARY FORCES OF THE CROWN—EMPLOYMENT OF INDIAN TROOPS—Postponement of Notice; Observations, Lord Selborne:—short debate thereon 1855

Bishoprics Bill (No. 70)—

Moved, "That the Bill be now read 3ª,"—(*The Lord Steward*) .. 1855

Amendment *moved,*

To leave out all the words after ("that") and insert ("in the opinion of this House any necessity that may exist for additional bishops should be met by an addition to the number of suffragan bishops,")—(*The Earl of Rosebery.*)

After short debate, on Question, whether the words proposed to be left out shall stand part of the Motion? their Lordships *divided;* Contents 107, Not Contents 33; Majority 74.

List of Cont. and Not Cont 1866

Resolved in the *Affirmative;* Then the said Motion *agreed to;* Bill read 3ª accordingly; Amendments made; Bill *passed,* and sent to the Commons.

NEW SOUTH WALES—COLONIAL FINANCE—Question, Address for Papers, The Earl of Belmore 1867

After short debate, Motion *agreed to.*

COMMONS, TUESDAY, MAY 14.

Page

QUESTIONS.

Army—Compulsory Retirement of Officers—Question, General Shute; Answer, Colonel Stanley 1881

Post Office—The Money Order Office—Salaries—Question, Sir Charles W. Dilke; Answer, Lord John Manners 1881

Coal Mines — The Blantyre Explosion—Question, Mr. Macdonald; Answer, Mr. Assheton Cross 1882

Public Health (Ireland) Bill—Question, Mr. Redmond; Answer, Mr. J. Lowther 1883

Army—Married Officers and Soldiers—Question, Major O'Beirne; Answer, Colonel Stanley 1883

Metropolis—London Bridge—Question, Sir Henry Peek; Answer, The Chancellor of the Exchequer 1884

Customs—Position of Outport Clerks—Question, Sir Edward Watkin; Answer, Sir Henry Selwin-Ibbetson 1884

Military Forces of the Crown—The Indian Contingent—Questions, The Marquess of Hartington, Sir Edward Colebrooke; Answers, The Chancellor of the Exchequer 1884

South Africa — The Transvaal Republic—Question, Mr. Courtney; Answer, Sir Michael Hicks-Beach 1885

MOTIONS.

Land Registration—Motion for a Select Committee—

Moved, "That a Select Committee be appointed to inquire and report whether any and what steps ought to be taken to simplify and secure the title of land and to facilitate the transfer thereof,"—(*Mr. Osborne Morgan*) 1885

After debate, Motion, by leave, *withdrawn.*

Select Committee *appointed,* "to inquire and report whether any and what steps ought to be taken to simplify the title to land, and to facilitate the transfer thereof, and to prevent frauds on purchasers and mortgagees of land."

And, on May 22, Committee nominated:—List of the Committee 1909

Judicial Appointments—Resolution—

Moved, "That, in the opinion of this House, it is inexpedient that officers elected by any representative body should, in consequence of their being so elected, be empowered to try indictable offences,"—(*Sir Henry James*) 1909

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the privilege of electing the judicial officers of the Corporation of the City of London, vested in that Corporation, having been expressly approved by the Royal Commissioners appointed in 1854, this House is of opinion that no circumstances have since transpired which call for the interference of Parliament,"—(*Mr. Charles Lewis,*) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 57, Noes 102; Majority 45.—(Div. List, No. 131.)

Words *added:*—Main Question, as amended, put, and *agreed to.*

Criminal Code (Indictable Offences) Bill—

Motion for Leave (*Mr. Attorney General*) 1936

After short debate, Motion *agreed to:*—Bill to establish a Code of Indictable Offences and the Procedure relating thereto, *ordered* (*Mr. Attorney General, Mr. Solicitor General, Mr. Secretary Cross*); *presented,* and read the first time [Bill 178.]

ORDERS OF THE DAY.

Acknowledgment of Deeds by Married Women (Ireland) Bill [Bill 173]—
Moved, "That the Bill be now read a second time,"—(*Mr. Meldon*) .. 1959
After short debate, Question put, and *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

Elementary Education Provisional Order (Portsmouth) Bill—*Ordered* (*Lord George Hamilton, Sir Henry Selwin-Ibbetson*); *presented,* and read the first time [Bill 179] 1959

COMMONS, WEDNESDAY, MAY 15.

ORDERS OF THE DAY.

Borough Franchise (Ireland) Bill [Bill 141]—
Moved, "That the Bill be now read a second time,"—(*Mr. Meldon*) .. 1960
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. James Corry.*)
Question proposed, "That the word 'now' stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 197, Noes 228; Majority 31.
Division List, Ayes and Noes 1987
Words *added*:—Main Question, as amended, put, and *agreed to*:—Second Reading *put off* for six months.

Queen's Colleges and University (Ireland) Bill [Bill 26]—
Order read, for resuming Further Proceeding on Question [28th February], "That the Bill be now read a second time:"—Debate *resumed* 1990
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. James Corry.*)
Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 26, Noes 232; Majority 206.—(Div. List, No. 133.)
Words *added*:—Main Question, as amended, put, and *agreed to*:—Second Reading *put off* for six months.

Local Government (Ireland) Provisional Order (Artizans' and Labourers' Dwellings) (Cork) Bill—*Ordered* (*Mr. James Lowther, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 180] 1992

Freshwater Fish Protection Bill [Bill 131]—
Select Committee *nominated*:—List of the Committee 1992

TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM.

LORDS.

NEW PEERS.

Tuesday, May 14, 1878.

The Right Honourable Gathorne Hardy having been created Viscount Cranbrook of Hemsted in the County of Kent — Was (in the usual manner) introduced.

The Right Honourable Sir Charles Bowyer Adderley, Knight Commander of the most distinguished Order of Saint Michael and Saint George, having been created Baron Norton of Norton-on-the-Moors in the County of Stafford—Was (in the usual manner) introduced.

SAT FIRST.

Thursday, April 4.

The Lord Rodney, after the death of his Father.

Monday, April 8.

The Earl of Ravensworth, after the death of his Father.

Tuesday, May 14.

The Lord Bishop of Saint David's.

COMMONS.

NEW WRITS ISSUED.

Monday, April 1, 1878.

For *North Lancashire*, *v.* Lieutenant Colonel the Hon. Frederick Arthur Stanley, one of Her Majesty's Principal Secretaries of State.

Wednesday, April 3.

For *Northumberland County* (*Southern Division*), *v.* Lord Eslington, now Earl of Ravensworth.

Thursday, April 4.

For *Middlesex*, *v.* Lord George Hamilton, Vice President of the Committee of Council on Education.

Tuesday, April 16.

For *North Staffordshire*, *v.* the Right Hon. Sir Charles Bowyer Adderley, K.C.M.G., now Baron Norton.

For *Tamworth*, *v.* Robert William Hanbury, esquire, Chiltern Hundreds.

Monday, May 6.

For *Oxford University*, *v.* the Right Hon. Gathorne Hardy, now Viscount Cranbrook, called up to the House of Peers.

For *West Kent*, *v.* John Gilbert Talbot, esquire, Manor of Northstead.

For *County Down*, *v.* James Sharman Crawford, esquire, deceased.

For *Carmarthen*, *v.* Sir Emile Algernon Arthur Keppel Cowell-Stepney, Chiltern Hundreds.

Thursday, May 9.

For *Reading*, *v.* Sir Francis Henry Goldsmid, baronet, deceased.

NEW MEMBERS SWORN.

Monday, April 1.

City of Worcester—John Derby Allcroft, esquire.

Monday, April 8.

Belfast—William Ewart, esquire.

Tuesday, April 9.

Lancaster County (*Northern Division*)—Right Hon. Frederick Arthur Stanley.

Friday, April 12.

Middlesex—Lord George Hamilton.

Monday, May 6.

Northern Division of the County of Stafford—Robert William Hanbury, esquire.

Thursday, May 9

Southern Division of the County of Northumberland—Albert Henry George Grey, esquire, and Edward Ridley, esquire (*double Return.*)

Monday, May 13.

Tamworth—Hamar Alfred Bass, esquire.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIFTH SESSION OF THE *TWENTY-FIRST PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 5 MARCH, 1874, AND THENCE CONTINUED
TILL 17 JANUARY, 1878, IN THE FORTY-FIRST YEAR OF THE
REIGN OF

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, 26th March, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Consolidated Fund (No. 2) *.
Second Reading—Bishoprics (43).

FOUNDERING OF H.M.S. "EURYDICE."

QUESTION.

EARL DE LA WARR: I rise to ask the noble Lord who represents the Admiralty in your Lordships' House, Whether he can give us any further information as to the cause of the accident to Her Majesty's ship "Eurydice," and also whether he can state the number of able-bodied seamen who were on board at the time of the catastrophe?

LORD ELPHINSTONE: My Lords, I have but little to add to the melancholy tale it was my duty to relate yesterday. Nothing fresh has transpired to throw any additional light either as to the cause or anything else connected with the accident. No further lives, unfortunately, have been saved. No more bodies appear to have been recovered. Whilst the loss of the *Captain* is so fresh in our recollection—an accident which had so much in common with this—we cannot but recall vividly to our minds the old saying, that "every sailor carries his life in his hands." These terrible accidents are not confined to ships of the Royal Navy, for we read in the papers that at the very time these 300 souls were struggling in the water off the Isle of Wight, a yacht, built for pleasure, was foundering with all hands in the Thames, leaving little or nothing behind her to tell who she was. The noble Earl asks me whether I can give any information as to the cause of the accident? Now, my Lords, the cause is clear in one respect—particularly clear—although in another it must ever remain a matter of conjecture. A very lucid description is given by one of the two survivors from the wreck of what took place at the moment. His description is this—the ship was under a heavy press of sail; she was struck by the squall, her sheets and halyards were let go—but too late. She was thrown over—forced over—by the first blow, if I may so call it. She was thrown on her beam ends, and she never recovered herself. The water was not only rushing in through her port holes, but her hammock-nettings were under water. Everything which was possible was done to save the ship. The helm was hastily put up to put her before the wind; but, before that movement could be effected, she was already a log in the water. She gradually settled and gradually sank. So far, the description is perfectly clear. What is not so clear, and what must, I fear, for ever remain a matter of conjecture, and which is a matter of the deepest regret, especially to naval men, is, that there is no officer now alive—no responsible officer—to explain two questions which naturally suggest themselves. The ship was, without doubt, under a heavy press of sail, and the question arises whether the captain was justified in having the ship under that press of sail? Apparently, he was perfectly justified. The wind was abaft the beam. Studding-sails were set, and the ship was only going 8½ knots an hour. The wind cannot, therefore, have been very strong. But there was another reason why he was apparently justified in carrying all sail he could. The tide off Dunnose runs between four and five knots an hour — a perfect race —and it was clear that he had to carry all sail he could in order to get to his anchorage before dark. The next question that arises is—how did the captain allow the squall to find him unprepared? This must ever remain a matter of conjecture; and for this reason, if for no other, it is to be so much regretted that no responsible officer is saved. We know what that squall was in London. There was a clear, blue sky, and an apparent promise of an unusually fine afternoon. Almost in one moment the black cloud rose, and a squall of, happily, a most unusual and severe character, swept over us, carrying death and destruction with it. That we all saw. Apparently it was so off the Isle of Wight. It is possible that, owing to the height of the land off Dunnose, the officers and captain did not see the squall until it was close on top of them. Indeed, it is more than possible; had they seen it, they would most certainly have shortened sail. For, as I said last night, the officers were all selected with great care. The captain and first lieutenant, especially, were seamen, and accustomed to sailing ships. The noble Earl asks, however, as to the crew. The Returns sent from the West Indies at the end of last year shows that there were on board —16 officers, 14 first-class petty officers, 13 second-class petty officers, 3 leading seamen, 22 able-bodied seamen, 58 ordinary first-class seamen, 183 ordinary second-class seamen, 22 supernumeraries, and one officer and six soldiers; altogether, 328 on board. Some of the ordinaries had since been rated able-bodies; the various officers had been specially and carefully selected; and altogether, it was difficult to conceive that a more smart or active ship's company could have been got together. The ballast was the same as she had always carried —the water was 117 tons instead of 84; the weight of guns was 16 tons instead of 55 tons, and this weight was on the main deck only. She was inclined for stability, after removal of her guns before sailing, according to the present custom, in order that the centre of gravity might be ascertained. Her stability was found to be greatly improved. Such, my Lords, is all the information I have it in my power to give. Should anything happen to throw any further light on the accident, I shall be most happy to give the noble Earl and your Lordships every information in my power. One word for the widows and fatherless children. A committee has been formed at Portsmouth to collect subscriptions, under the presidency of the Naval Commander-in-Chief. If I can be of use to any one of your Lordships in this matter, I will gladly become the means of conveying any subscriptions you may wish to send.

BISHOPRICS BILL—(No. 43.)

(*The Lord Steward.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2ª."—(*The Lord Steward.*)

Lord HOUGHTON, in moving an Amendment that the Bill be read a second time this day six months, said, that the Bill appeared to be based on the principle of voluntary contributions towards the foundation of bishoprics in such places as contributors could be found to raise an endowment fund; but, at the same time, it interfered with the endowments of existing bishoprics. And, it was further to be borne in mind, that the Bishops were great officers of State. The Bill appeared to point to an indefinite extension of the Episcopate—yet, with one exception, the new bishoprics appeared to have been selected on no distinct principle, but rather on arbitrary and insufficient grounds. The one exception, in which the selection appeared to go on principle, was that of Liverpool. There was much to be said in favour of having one distinct Episcopal authority in such a locality. Their Lordships would remember how a very distinguished clergyman (Dr. Hook) had conducted the spiritual superintendence of the town of Leeds with a success that showed how much advantage might be derived from direct Episcopal superintendence over a large town. He was also old enough to remember the establishment of the bishopric of Manchester—he supported that step—and the results in the district assigned to its charge showed that the establishment of a bishopric in Liverpool could be defended on principle. He thought then, as he thought now, that the addition, under suitable circumstances, of distinguished clergymen to the Episcopal Bench could not but be attended with advantage to the country. As it had been at Manchester so, he thought, it would be with respect to the new bishopric of Liverpool, if he became a Member of their Lordships' House; but he took exception to the three other proposed new bishoprics. With respect to Newcastle, he disapproved the separation of that district from the large and important see of Durham. The people of the North had a pride and affection for the old see—there was no portion of England in which Episcopal remembrances and traditions were more cherished than in Durham. The inhabitants of Teeside spoke of the district as "the Bishopric." As to Southwell, he believed that it would not have been selected only that there was a very fine church there now in progress of restoration. Repeating what he said last year, he believed there had been no real demand on the part either of the clergy or the people who would be within the see of Wakefield for the foundation of a bishopric there. Wakefield had not only many historical recollections, but a supposed literary association which connected it for ever with English literature, and they would not easily institute a Bishop who would rival its immortal Vicar. The voluntary contributions required for the establishment of the four new sees on anything like a satisfactory footing would amount to not less than £750,000. The whole of that sum would be subtracted from the pious donations of the country; and, looking at the number of livings which were barely adequate to the support of those who held them, he thought such a sum would be better applied to the endowment of poor livings in large towns and to other objects of charity. But there was a principle involved in the Bill, as a whole, to which he objected. The Bill proceeded on the notion that there was some connection between increase of population and an increase in the Episcopacy. If there was any reality in this principle, how many Bishops of London ought there to be? The question of government had nothing necessarily to do with the amount of the governed. It should be remembered, however, that the present Episcopal Bench had been relieved of some of the duties that formerly devolved upon them. They had been relieved of the charge of property, and now received their incomes without trouble. Then, the means of communication between the different parts of the country had increased with the increase of the population. With the present means of travelling an Archbishop could pass from one end of his province to the other in a shorter time than a Bishop in former times could pass from end to end of his diocese. It was, therefore, not more necessary than formerly to increase the number of Bishops simply on the ground of the extent of the present sees. Could it be said that a Bishop was an overworked man? They were hardworked men, no doubt, because an honest man was always a hardworked man; but they could not be said to be overworked, except in so far as they chose to impose on themselves new and superfluous employment, such as in the frequency and abundance of confirmations. In Sweden and Norway confirmation was regarded as obligatory. It was not so in this country. Here it was a rite which carried with it no secular or theological obligation. The Bishops now spent two or three months in the year in visiting small vicarages. They stayed with the local gentry, and administered confirmation to young children in small churches. He had heard experienced clergymen express their opinion that some harm was done by the change which gave greater facilities for the confirmation of children too young to understand the rite. Formerly, and when there were not such facilities, candidates for the rite came forward as a rule at more mature age. At that time children were confirmed in large towns and in large numbers. The Comte de Montalembert had once told him that the large numbers of the Episcopacy in France before the Revolution had seriously damaged the influence of the clergy; and he confessed that he thought that the position of the Bishops in this country would be much affected, and that for the worse, by such an increase. While opposed to an ostentatious display of their revenues, he wished to see the dignity of the Episcopal Bench supported—they were Lords of Parliament, and care must be taken to keep up the associations of that rank—and he thought that the Bishops ought to give themselves more leisure to pursue those studies in which Bishops of former days were so distinguished. He urged their Lordships to defer the passing of the Bill—he did not think the Church would suffer by the delay. After the question had fermented longer in the minds of the people, it could be dealt with more effectually. The Bill, as it stood, put it in the power of any wealthy man to found a bishopric by leaving £100,000; and he thought the creation of new bishoprics, by such fortuitous and undignified methods, with comparatively small endowments, would not promote the usefulness, dignity, and power of the present Bench, but would rather imperil the relations of the Church with the State, and it was not unworthy of consideration that, by the operation of the rule by which Bishops succeeded to vacancies in the House according to their date of consecration, if the number of Bishops were greatly enlarged many Representatives of the old historical sees would for years be excluded from this House. The noble Lord concluded by proposing his Amendment.

Amendment *moved*, to leave out the word ("now,") and add at the end of the Motion ("this day six months.")—(*The Lord Houghton.*)

THE ARCHBISHOP OF CANTERBURY: My Lords, we on the Episcopal Bench feel very much indebted to the noble Lord (Lord Houghton) for his criticism of this measure, and we are sensible that we ought to be particularly grateful to him for the instruction we have received at his hands. We are so much in the habit of delivering charges to other people that we appreciate the great advantage of having a charge delivered to ourselves. I do not know, however, that we can unhesitatingly accept all the advice for the conduct of our office which my noble Friend has been so kind as to give us. There is one point, however, put forward by the noble Lord in which I entirely acquiesce. It is that the Bishops should have more leisure for those learned pursuits which were followed by our predecessors; but if we are to have more leisure, this can only be obtained, if we do not diminish our own labour, by calling in assistance for the discharge of our duties. But the noble Lord seems to think that we should not give our clergy access to our houses, nor waste time in visiting their houses; and he suggests that if we were to confirm thousands of children together on one day, things would go on better, although there might not be opportunity for those addresses which precede the rite of confirmation. I cannot accede to that view—I should not be disposed to accept more leisure for the Episcopal Bench on those terms; and if we are to have more leisure without curtailing the active work of the Episcopal office, this can only be accomplished by multiplying the number of persons engaged in Episcopal functions. I am not, however, prepared to say that there is not a great deal in what my noble Friend said against the multiplication of such officers as Bishops. There is the same thing to be said against the multiplication of the Judges. In either profession it is not easy to find fit men for those offices. If the proposition before the House was one for an increase in the number of Judges, my noble Friend might have urged that it would be difficult to find fit persons to fill the office of Judge; and that, if the existing Judges only tried their causes according to the system he proposed they might save themselves a good deal of trouble, and it might not be necessary to give them any assistance. Neither can I accede to what my noble Friend will permit me to call his paradox—that an increase in the population afforded no grounds for an increase in the heads of the Ecclesiastical and Judicial Establishments. No doubt it is true that the facility of communication is much greater now than it was in past times; but I contend that in respect of all those offices an increase in the population must be an element in the settling of how many officers you are to have to discharge those important duties which Judges in the State and Bishops in the Church are called to discharge. The opposition of the noble Lord to this measure is not intended, I suppose, to lead to a division. Indeed, the opposition which this Bill meets may be said to be of two kinds—active opposition and passive opposition. The active opposition of the noble Lord is different from another sort of active opposition. He is so satisfied with the Bishops as they have been hitherto that, with that tremulousness which comes on us all in advancing age and makes us shrink from change, he would rather have the old state of things than run any risk by entering upon any novel state. But the other—the active opposition — takes a different form. It comes from those who wish ill to the Establishment which my noble Friend is anxious to preserve. I have had the advantage of reading a publication which has been circulated by the opponents of the Established Church, and their opposition takes this form—that the Bishops are altogether so bad that the fewer of them you have the better. This may not, perhaps, be intended to apply to the Bishops of the present day, who are admitted to be pretty hardworked, but to the Bishops of past days, to whom my noble Friend looks back with sincere and heartfelt regret. Now, this sort of active opposition may be allowed to be set off against the other; but what we have more reason to be afraid of, if not in this House, yet elsewhere, is the inert, passive indifference to an increase of the Episcopate. The argument which my noble Friend has adduced, that the money might be better spent, is a sort of idea which enters into the minds of a great many persons. If the proposal in this Bill was to take funds from the Ecclesiastical Commissioners and to distribute those funds in forming new bishoprics, there would be considerable force in the argument of my noble Friend. But that is not so. In one part of his speech the noble Lord underestimated, and in another he made a large allowance for, the willingness of persons to come forward and endow these new bishoprics. I do not believe that a single pound would be withdrawn from the charities of the country or from the maintenance of the parochial clergy in consequence of the endeavours made to establish the new sees proposed in this Bill. My Lords, there is a fear in the minds of some persons that the new Bishops would not be the same sort of Bishops as the old ones. Now, to judge of this, we must look to experience. We have had within the last year, through the exertions of Her Majesty's Government, two Bishops added to the English Episcopate. Neither of them as yet have seats in this House, and therefore I am entitled to say of them that two men more fitted for the office to which they have been called could not have been found in this or any previous generation. The eminent scholar and divine, and the devoted parish priest with so large an experience in St. Giles and St. Pancras, will neither of them suffer by comparison with any Bishop in this House, either at the present or at any former time. I believe there may be some disadvantage in the fact that a Bishop must have arrived at perhaps a somewhat advanced age before attaining a seat in this House. I can understand anyone looking back to the late Bishop of Exeter and the late Bishop of Oxford, and considering what a disadvantage it would have been if those eminent men had not been able from the first day of their entering on the Episcopal office to exercise their talents for the edification of this House and the country. As my right rev. Brother (the Bishop of Peterborough) happens not to be in his place, I may remark that the debates here—which are not always particularly lively —

would suffer if he could not be heard in this House. But, in all such matters, to obtain certain benefits we must be prepared to run certain risks and to suffer certain disadvantages. The innovations of one age which are looked at with distrust become the venerable institutions of another age. The noble Lord (Lord Houghton), in a published letter which I read with great attention, stated that he would be content to remain under the see of Ripon—but that is one of the brand new sees. My distinguished Predecessor, by his inexhaustible activity, made the see of Ripon venerable though it was new; and when my noble Friend becomes accustomed to his new neighbour—the new Bishop of Wakefield—not only will they, I doubt not, be the best of friends, but the see of Wakefield will be a venerable institution under which my noble Friend will be glad to repose. It is most desirable that the country should understand that the objections made to this proposition are not really so strong as my noble Friend supposes them to be. There was a great change in these matters at the time of the Reformation. Six new sees were added to our Episcopate when the country began to bestir itself under the influence of the Reformation. One of these was afterwards suppressed, but five remained. Now, I can imagine some Conservative of that time, or even some person who, having followed in the wake of reform up to a certain point, began to think that, after all, the old was better than the new, and, looking with alarm at the foundation of the sees of Chester, Oxford, Peterborough, and Bristol—I can imagine him saying that it was hopeless to expect ever to find in those sees men of the same sort as those who filled the princely sees of Lincoln and Ely, the Bishop of which see had a residence at Hatfield, while the see which I fill was occupied by a Prelate who resided at Knowle. But, after all, the Bishop of the brand new Chester wrote one of the greatest of our theological works—*Pearson on the Creed;* and the see of Bristol, on which such a person might, perhaps, have looked with great contempt, *Butler's Analogy* is for ever associated with. I will not trespass on the time of your Lordships by speaking of the spiritual duties which devolve upon the Rulers of the Church. I think your Lordships will agree with me, in spite of what the noble Lord has said, that a multiplied population must require greater exertions on the part of those charged with the office of Bishop. I think your Lordships will agree that an age, which has seen in so short a space of time as 40 years, some £30,000,000 expended on the building and restoring of churches, must have created an increased demand on the officers of that Church; and I think, also, you will agree with me that, with the measure which Her Majesty's Government have laid before us, we are not in the presence of an indefinite scheme of which we do not see any close. The reform of a great Institution like the Church of England ought, no doubt, to be gradual, but it ought to be real; and a Bill like this should be framed with a view to a future time. I do not expect that the moment this Bill passes the whole of the four sees will be immediately founded; but I think it is wise legislation to contemplate what additional supply the government of the Church will require; and then, having made a change as great as any which has been made since the Reformation, it is right to pause for a time, without going on to any such indefinite changes as the noble Lord anticipates may follow from this Bill. The advantage of this Bill, and that which will commend it to the common sense of the country, is this, that whereas former proposals—made, no doubt, with the best intentions—were indefinite, this is definite; it tells distinctly where the sees are to be, how many there are to be of them, and the exact status which the Bishops are to occupy. I do trust that this measure—which is really one of the greatest reforms proposed for the Church of England since the Reformation—will be the means of greatly strengthening the Church. I believe it will not be popular with those who wish ill to the Church of England. But still I have such confidence in many who are separated from us by their conscientious convictions, that I cannot believe it will be found their policy to oppose a measure only because it strengthens an Institution from which they are dissociated. I believe it will be considered that this is an important measure for the better government of the Church of England, and that it will be heartily accepted by that vast body, both of members of the Church of England and of persons not connected with that Church, who look on that Institution as one of the greatest safeguards for the highest interests of this country. I hope, therefore, that your Lordships will strongly support Her Majesty's Government in this endeavour greatly to benefit the Church which we desire to see useful, devoted, and prosperous.

LORD EBURY said, he confessed he did not view this Bill with complete satisfaction. He was the more desirous to say so, because he did not agree with his noble Friend who led the opposition to the Bill (Lord Houghton) in most of the objections he had made to it. His noble Friend had said that he did not think the increase of population was any reason for increasing the number of Bishops. From that opinion of his noble Friend he entirely differed—he thought the noble Earl who had charge of the Bill (Earl Beauchamp) had made out a good case on that ground. There had been a vast increase in the population of this country during the last 50 years, and—as an army which was not adequately officered would operate under the greatest disadvantages—so we ought to have a proper number of officers in the Church to discharge the duties which this increase of the population must throw upon them. The most rev. Prelate who had just sat down had said that there were generally two kinds of objectors to an increase of the Episcopate; one, who thought that those already existing were quite adequate to the discharge of any additional duties they might be required to perform; the other, that the Bishops were so bad that it would be very unadvisable to add to the number. His noble Friend (Lord Houghton) had adopted the former of these objections, though he (Lord Ebury) begged to say that he had no idea of using the expressions which had fallen from the most rev. Prelate. He entertained objections somewhat of the latter description. It was true that the Bishops themselves had declared to the whole world that there existed among members of the so-called clergy of the Church of England a conspiracy to destroy the principles established by the Reformation in this country; but they had no security, to judge from the action of a considerable number of their present Bench, that their future Bishops might not be so far unfaithful to the duties they had undertaken as to go on encouraging Romanizing practices. He might be told that there was no reason for him to suppose that the learned and honourable men who would fill the new Sees would be unfaithful to their trust. But he could not but recall to their Lordships' recollection a remarkable passage in a speech made by his noble Friend (the Earl of Shaftesbury), whom he regretted not to see in his place, when commenting on a work called *The Church and the World*, by Mr. Orby Shipley. His noble Friend said—

> "I am called a Low Churchman, and I believe I am. But if the appointment of all the Bishops to Sees were put into my hands, I should bestow the greatest care and attention upon the duty; yet, after they had been a short time on the Bench, I should feel no confidence in them."

The Church of England was an institution that was rooted in the minds of the people—it was so interwoven with their feelings and so congenial to their tastes; but it must be the Church of England, the Church of the Reformation, and not the Church of Rome. For these reasons, while he could not oppose this Bill, he could not view the proposed increase in the Episcopate with entire satisfaction.

THE EARL OF CARNARVON said, he should cordially support the Bill, although he thought that anyone who considered it carefully must acknowledge that it would have several effects, different, at least, if not opposed to each other. He did not care to follow closely his noble Friend who moved the rejection of the Bill (Lord Houghton)—firstly, because the majority of his noble Friend's arguments had been met by the most rev. Primate; and secondly, because his noble Friend spoke on the assumption that all Bishops were in the nature of mere civil stipendiaries. Of course, if that were a true view of the case, a deal of his noble Friend's argument was fair and well founded; but if, on the other hand, the office of Bishop was essential to the Church of England from a spiritual point of view, the question assumed a very different aspect. His noble Friend quoted the case of the French Bishops, and mentioned that the late Comte de Montalembert objected to an increase in their number. He had never heard this before, but if the story were accurately reported, his impression was that M. de Montalembert objected, not because the Bishops, as such, were multiplied, but because the multiplication of Bishops involved an increase in the number of stipendiaries who were absolutely under the control of the State. However that might be, the reason why he, for one, gave his hearty concurrence to the present Bill was this—he could see it was one of those measures which gave a certain amount, at all events—he did not wish to put the matter too high—of real life to the Church of England in her work, and which strengthened her essential institutions, thereby enabling her the better to discharge the duty that was laid upon her. His noble Friend hardly did justice to the immense amount of labour which devolved upon a Bishop in any ordinary diocese. A Bishop had to discharge several duties. There was, in the first place, the supervision of the clergy—and the more minute that supervision was the more completely the Bishop performed his duties. Next, a Bishop had to look to the organization of the many diocesan institutions which in former times had no existence. This duty brought him into close relations with the laity. Lastly, a Bishop had to deal with the discipline of the clergy; and it was impossible for anyone to avoid noticing the growing uneasiness which prevailed in the relations existing between the governors and governed of the Church of England. The Bishops who maintained the best discipline within their dioceses were those who made their personal influence and character felt. It stood to reason that this should be the case. There was probably at this moment no clergy in Europe so learned and cultivated as the clergy of the Church of England; and it was but reasonable to suppose that such men would be more easily moved by the personal influence which a Bishop could bring to bear upon them in his relations with them than by the enforcement of his authority as a mere servant of the State. No man, he supposed, ever undertook larger work, and carried it out more successfully in administration, than the late Bishop of Winchester. Like all men of the highest order of ability, that Prelate had to suffer much criticism during his life; but since his death men of all sides had generously acknowledged that it was impossible to overrate either his ability, his self-devotion, or the practical success with which he administered his diocese. The late Bishop of Winchester was one of his oldest and best friends, but he did not think that circumstance coloured his estimate of his work. Yet he happened to know that Dr. Wilberforce, with his extraordinary grasp of details, and with his unwearied power of application, felt himself, during his latter years, overtasked by the labour of his diocese. On all these grounds he thoroughly believed that this Bill would be a very great benefit. On the other hand, there could be little doubt that, as his noble Friend (Lord Houghton) had remarked, the new Bishops would in a certain sense be a new order introduced on the Episcopal Bench. This Bill, no doubt, endeavoured to place them on the old footing; but the new element, especially when introduced in a considerable proportion, must affect the body into which it was introduced, and, to a certain extent, there must be more difficulty in maintaining the status hitherto held by the Bishops. But, as the most rev. Primate had shown, we had had changes repeatedly made in the Church of England, and as time wore on those changes had lost their original character, and had been felt to be a means of strengthening her foundations. His noble Friend who moved the rejection of this Bill was probably old enough to remember a very different external state in many respects among the highest Prelates in the Church of England. Probably his noble Friend could remember the stately banquets at Lambeth; perhaps he remembered the time when the Bishop of Durham kept a pack of hounds for the county; and all could remember the princely income which the late Bishop Sumner enjoyed when he lived at Farnham Castle. All these were picturesque and striking times of a system which had been so modified that it might almost be said to have passed away. They constituted one of the visible signs of the power of the great State Church. Then it was undoubtedly the Church of the rich and the powerful and the influential; and it was at the same time a Church that was steeped, with some few exceptions, in a deep lethargy. Now, although the Church of England might be shorn of a large portion of her worldly splendour, there was no reason to regret the change which had been effected—because he believed in his conscience that as religious stagnation was the deepest curse with which any Church could be smitten, so, on the other hand, the activity of spiritual life was the highest blessing which could be granted. There existed Episcopal Churches in the United States and Canada, and their elasticity and power of extension were, amongst other things, due, in great measure, to the multiplication of Bishops. It was due, also, to the freer air which such Churches breathed. He, for one, certainly did not wish to place the Church of England in the same position as the Colonial Churches; but if such a change was to be avoided, it would be, not by a strict adherence to the *status quo*, but by removing the shackles and restrictions which impeded her action, and by affording her that amount of liberty and fair play in her institutions which almost every other religious denomination enjoyed, and that liberty which the spirit of the times allowed and which circumstances rendered desirable.

THE BISHOP OF DURHAM said, that, as Bishop of one of the dioceses which this Bill would affect, he desired to make a few observations. He ventured to disagree with the noble Lord who had moved the rejection of the Bill (Lord Houghton) on the point of the usefulness and influence of Bishops. He did not think the noble Lord meant to go so far —it would be an injustice to their Lordships' feelings, to the sentiment of the Church of England, and to the noble Lord himself—as to believe that it was by the depth of the purse and the splendour of the equipage that the influence of a Bishop was to be measured. The Episcopate would not have lasted to the present day if its usefulness had been measured by its wealth. When the saintly Bishop Wilson, whose fame now extended over the length and breadth of the land, came from his diocese of Sodor and Man to Court, with shoes that had thongs instead of buckles, King George III. came forward and said to him—"My Lord, I beg your prayers;" and, in doing so, he was only speaking the feeling of the country. It was the work of that Bishop, his piety and energy, which spread his name far beyond the limits of his diocese. And when he (the Bishop of Durham) referred to the Princes Palatine of his own diocese, they were not remembered for their wealth or pomp—although, in going from one part of Northumberland to another, he had met with traditions of the Bishop's coach-and-six coming to grief, and being unable to overcome the roughness of the Northumberland roads —but the memory was handed down from father to son of the simplicity of the life of some of the Durham Bishops, and the generosity with which they had forwarded every good work in their diocese. And while he regretted that the salaries of the new Bishops would be only £3,500 a-year—for with those means they would not have so many opportunities of doing good as their richer brethren had — he was satisfied that, whether it was in the castle of the nobleman, or the residence of the squire, or among the cottages of the poor, it would not be the amount of income which the Bishop had, but the earnestness and sincerity with which he did the Episcopal work, that would make him remembered. He quite agreed with the noble Lord in the inexpediency of a large increase in the Episcopate—over-officering a regiment led to as many inconveniencies as under-officering — and the clergy of the day did not seem inclined to submit to that larger degree of interference which an increase of the number of Bishops would imply. If the number of Bishops were increased in the same proportion as the population, then more than 100 Bishops would be required. But other considerations, besides mere increase of population, came in to affect the question. There was the large number of the population which did not belong to the Church of England; and, above all, the improvement in the character of the clergy. But this Bill applied to certain special cases where there had been a very large increase of spiritual work, and where an increase in the number of Bishops was absolutely required. The state of things had very much altered during the last 20 years. Since the last Census the population of Durham had increased more rapidly than any other county of England, and amounted to considerably more than 1,000,000; and so within the last 50 years the number of benefices in Durham had doubled, and the number of clergymen had more than doubled. All this demanded a much greater amount of work on the part of the Bishop, and he could not agree with the noble Lord who had moved the rejection of the Bill. Nor could he agree that the work of a Bishop with regard to confirmation was comparatively unimportant work. On the contrary, if the noble Lord went to any part of the country where a Bishop was holding confirmation, he would hear both clergy and laity say that there was nothing which gave more strength to the Church than the increase of confirmations performed as they now were. He believed the income of the bishopric of Durham could bear the proposed contribution to the new See to be formed out of its diocese; but it seemed to him that when they came to bishoprics of £4,000 or £4,500 a-year, it would be impolitic and unwise to reduce the income of the Bishop, instead of leaving the laity of the diocese to find the endowment. He should himself feel very keenly the separation from Northumberland, where he had met with so much kind and hearty support. But there was a strong feeling in the country that the separation was of such importance and of such lasting benefit to the Church of England that they had unwillingly consented to it.

Viscount MIDLETON said, it appeared to him, as a common sense view of the subject, that as populations increased, livings became subdivided, and the number of the clergy multiplied, there must, as a matter of course, arise the need for the increase of the supervising power. He was also of opinion that a person occupying the position of a Bishop ought not to be overwhelmed with work. As to the objection that the increase of the Episcopate would tend to encourage sacerdotalism, while he admitted that there had been times when the spirit of sacerdotalism predominated among the members of the Episcopal Bench, or, at all events, among the more prominent members of it, he would point out that what now remained of that spirit was confined to a small portion of the beneficed and to some of the unbeneficed clergy. An increase in the number and efficiency of the Episcopacy would in all probability do much to put an end to any extravagance in that direction. What was most required for the Church, he might add, to have clearly inculcated, was a spirit of obedience to the law; and he believed that if there were more frequent access to the Bishop of the diocese and greater opportunities of listening to his counsels, a very powerful effect would thus be produced in the way of reducing to order some of those elements of disorder which now existed, and placing the clergy of the Church of England more in harmony with the laity. He wished, further, to observe that too little use had, in his view of the matter, been made of the bishopric of Sodor and Man. The clergy in the Isle of Man were tolerably numerous; but the livings were very small—averaging, he believed, not more than £200 a-year. The Bishop was at the present the owner of most of the tithes, and if those tithes were to be relinquished, they would make a most valuable addition to these poor livings. If the see of the Isle of Man could be incorporated with Liverpool a very great advantage might, he thought, in that way, be conferred on the population on both sides of the water. An eligible ecclesiastical residence might be obtained, and £1,000 a-year secured towards the income of the new diocese. He hoped, therefore, some further means would be taken than he found in the Bill to utilize that ancient bishopric. With that exception, he saw no clause in the Bill to which objection could be fairly made.

The Earl of POWIS protested against the notion of uniting the bishopric of Sodor and Man with that of Liverpool. The union proposed in 1835 had been repealed by the late Lord Ripon. He did not think the inhabitants of Liverpool would be disposed to draw from the poverty of the Isle of Man the funds for the augmentation of the Episcopal income; although the present Bishop of Sodor and Man seemed to be of the same opinion as his predecessor, who, when the late Lord Derby had translated Homer, said he hoped he would also translate Horace. The change would be in every way undesirable, and he hoped that the Bill would be maintained in its integrity.

The Earl of REDESDALE wished to point out one effect of this Bill, as it concerned the attendance of Bishops in that House. There would be more of the old Bishops, and fewer of the young ones. He suggested that it would have a very good effect if a provision could be introduced into the Bill to enable a Bishop, after he had had a seat in that House for a certain number of years—

20 years—to retire from attendance at the House, and permitting the next Bishop on the roll to succeed him.

LORD HOUGHTON explained, that he had no desire to speak slightingly of the rite of confirmation.

On Question, that ("now") stand part of the Motion, *resolved* in the *affirmative;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday*, the *4th of April* next.

House adjourned at a quarter past Seven o'clock, till To-morrow, Eleven o'clock.

HOUSE OF COMMONS,

Tuesday, 26*th March*, 1878.

MINUTES.]—PRIVATE BILL—*Second Reading*—Dublin Tramways, *debate adjourned.*
PUBLIC BILLS—*Committee*—Mutiny—R.P.
Considered as amended—Local Government Provisional Orders (Bristol, &c.) * [112].

The House met at Two of the clock.

PRIVATE BUSINESS.

DUBLIN TRAMWAYS BILL (*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Young.*)

MR. M. BROOKS moved, as an Amendment, that the Bill be read a second time on that day six months. It might, he said, be asked why he did not adopt the usual course in cases of this kind and leave the consideration of the Bill for a Committee upstairs, who were generally entrusted with the investigation of all Bills of this nature? He did so, because he had it on the highest authority that it was a somewhat moot point whether a Committee could take cognizance of the particular points to which his objections applied. In 1871 the promoters of the present Bill passed a Bill for the Construction of Tramways in the city of Dublin. That Act in 1873 was supplemented by another, and since that time the Company had been running tramways through the city of Dublin, in a manner which had been, to a certain extent, of convenience to the inhabitants of that city. They had, however, availed themselves of the right which they undoubtedly possessed, under the Statute, of charging the maximum fares, and this amounted in many instances to 200 per cent more than the charges made by other Companies in London, Liverpool, Glasgow, Edinburgh, and Belfast. The North Metropolitan Tramway Company in London charged from Moorgate Street and Finsbury Park to Highbury, a distance of more than four miles, 3*d.*; to Stratford, more than two miles, 2*d.*; and to places within a mile, only 1*d.* The House would be surprised to hear that in Dublin they had not a single fare at 1*d.*, notwithstanding the fact that the charges for horseflesh, labour, rent, and taxes, were very much lower than here. The London Tramways Company charged, from Brixton to Blackfriars, to St. George's Church, Southwark, and Westminster Bridge, only 2*d.*, although the distance in each case was more than two miles; and from some of the stations, whence a distance of four and a-half miles was covered, the fares were only 2*d.* In the city of Edinburgh a passenger was conveyed for 1*d.* a-mile. Most hon. Members were acquainted with the city of Edinburgh, and would be familiar with the network of tramways extending from the Post Office. The traffic was carried on at all hours of the day to a very large number of stations, extending over two, three, and four miles, and the fares were only 2*d.*, 3*d.*, and 4*d.* In the city of Glasgow the fares during all hours of the day were at the rate of 1*d.* a-mile. In Dublin he found that on the line of the Dublin Tramways Company to Rathmines—three and a-quarter miles—the charge was still 3*d.*, and if a passenger travelled on the tram-road for only half-a-mile the charge was still 3*d.*; while in Glasgow and Edinburgh it would be 1*d.* On the Donnybrook line—two and three-quarter miles—the smallest fare was 3*d.* Last week, he had himself tested the fares, and had travelled a short distance, not exceeding that from the corner of Park Street to the other side of Westminster Bridge, and in common with the rest of the passengers, he had to pay the ridiculous fare of 3*d.* He found that the Company were dividing 8½ per cent; while the North Metropolitan Company, who carried passengers at 1*d.*, were dividing 9½ per cent. He mentioned these facts to show that low fares did not decrease the dividends of the Tramway Companies. No doubt it was much more convenient for a Tramway Company to carry one passenger at 3*d.* rather than three at 1*d.*; but the carrying out of that system of obtaining dividends from a small number of passengers at very high fares deprived the poorer and humbler classes of the great advantages which they ought to derive from the improved tramway system. In Dublin, it was true there was a workmen's car by which passengers were carried for ½*d.* per mile, but it was at 6 o'clock in the morning. In Dublin, unlike Glasgow and other towns, there were few factotories, and therefore factory servants were unable to avail themselves of these trams. The working classes employed in building operations, who did make use of them, had the fares paid by their employers, and the fares did not come out of their pockets. Consequently, it could not be said that the poorer and humbler classes obtained the advantage which they desired. In Dublin there was another Tramway Company, whose tramways ran in a district conterminus with that of the present Company; but hitherto the latter had declined to interchange tickets, so that passengers having a quarter of a mile to go from the Dublin Tramways Company's line, and having to finish their journey on the line of the other Company, had to pay two fares, amounting to 6*d.* This was a great hardship, and he hoped that one result of the Motion he now made would be the rectification of the very selfish mode in which the Company had hitherto maintained their monopoly. The Corporation of Dublin had made known to the Company their desire to extend to them, as they had hitherto done, every consideration, and a schedule of fares had been proposed by the Corporation enabling the Company to collect 2*d.* per mile for first-class passengers, which was double the fare exacted in London, and 1*d.* per mile for third-class passengers and those who travelled outside. No response was made to that proposition of the Corporation; but the Company treated the Corporation and the authorities of Dublin with a silence that was hardly civil. Without wearying the House with any further remarks, he would move the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day six months."—(*Mr. M. Brooks.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. YOUNG said, the course taken by the hon. Member in moving the rejection of the Bill on the second reading was a very unusual one. In point of fact, the speech of the hon. Member was in favour of the second reading of the Bill; for all he wanted was a revision of the fares of the Company, and certainly the House could not be prepared to say what the fares should be from one part of Dublin to another. Surely it was a question for the consideration of a Committee, and of Gentlemen specially told off for that purpose, who would hear evidence on the subject. It must not be forgotten that a Bill had already passed a second reading, with the assent of the Corporation of Dublin, for the Construction of Tramways in Dublin, and it was not unreasonable on the part of the promoters of the present measure to expect that their Bill would be referred to the same Tribunal. These two Companies, one the old and the other the new Company, had competing lines; and, although the hon. Member was strongly in favour of 1*d.* a-mile rate as the maximum that should be charged, yet the Dublin Central Bill, which had already been read a second time with the assent of the Corporation, fixed the maximum at 2*d.* per mile. He could not understand why, under such circumstances, the Corporation could ask the House to restrict the promoters of the present Bill to 1*d.* The Bill had passed the Standing Orders in both Houses of Parliament, notwithstanding the opposition of the Corporation, and he hoped the House would now allow it to take the usual course. The hon. Member was in error in saying that there was only one workmen's train per day. Provision was made in the Bill for two in the morning and two in the evening. He believed the usual arrangements were made in regard to workmen in every respect, whether the workmen used them or not, and there were certainly trains running twice in the morning and twice in the evening.

SIR JOSEPH M'KENNA hoped the House would not consent to entertain the second reading of the Bill, if for no other reason, because it was undesirable to continue a monopoly affecting the citizens against the wish of the Corporation of Dublin. He complained of nothing unfair on the part of the gentlemen who promoted the Bill. They were, no doubt, struggling for the interests of their own Company; but, inasmuch as those were the interests of capitalists who made a very good thing out of the existing tramways, he did not think their interests ought to be allowed to stand in the way of the general interests of the public. It was one of the misfortunes of Dublin—in fact, a misfortune which it shared in common with other parts of Ireland—that the measure of self-government which it enjoyed was rather scanty. He did not believe for a moment that the House would entertain a Bill for a tramway through the City, which was opposed by the Corporation of London, and which proposed to grant a new and a fresh monopoly. Therefore, if he took no other stand than this—that this was a Bill opposed by the Corporation of the city of Dublin and all the local authorities—that it was a Bill which ignored the right of the citizens of Dublin to make terms for themselves beforehand—that was to say, before they were made the unwilling parties to the creation of a monopoly—he was satisfied that that ground and the arguments based upon it would sufficiently commend themselves to the House and ensure the rejection of the Bill if it were now pressed to a division.

MR. GOLDNEY had no interest in the question, but believed that the simple object of the Bill was to extend a system of tramways originally authorized in 1871 and extended in 1873. That was an object which the House was unable clearly to go into, and it ought to be referred to a Select Committee.

MR. GRAY remarked, that although he was a member of the Corporation of Dublin, and had a good deal of interest in the prosperity of Dublin, he could not take the same view of the matter as the hon. Member for Dublin (Mr. Brooks) did; but, of course, in this he only spoke in his individual capacity. The hon. Member for Dublin represented the opinion of the Corporation on the matter. The Corporation granted their original assent to the Company for the construction of tramways, perhaps, on terms that were too favourable. They did not realize how valuable tramways were to become, and did not make the advantageous terms they might have made. They would have done better if they had the gift of prophecy; and, if on this occasion, the Corporation had opposed both of the Tramway Bills now before the House, he would have been able to understand their position and to go with them.

MR. M. BROOKS said, there were Petitions from the Corporation against all the Tramway Bills.

MR. GRAY said, they were merely Petitions to obtain a *locus standi* and not against the Preamble of the Bills. The Dublin Central Tramways Bill proposed to run over a number of streets in the boundaries of the city, and over the same ground as was proposed by this Bill, and it had not been opposed, although it did not propose to give greater concessions in the way of low fares than the present Bill. He, therefore, failed to see any justification for the exceptional course proposed to be taken now in opposition to the second reading of the Bill. To kill this Bill was to ensure the passing of the other, without any special advantage to the public. If the Corporation had opposed every Bill and had said, for instance, that they wanted to wait until they saw whether steam would be introduced or not, he would have admitted that their position was tenable; but they had assented to the Bill of one Company at fares equally high, whose line was to be laid over the same ground, and he did not see why the two Bills under the circumstances should not proceed *pari passû*.

MR. SULLIVAN said, he should like to know on what principle of Home Rule hon. Members would justify the speeches made there to-day. They ought to be considering the Mutiny Bill, and they were listening to a discussion which ought to be settled by the local authorities in Dublin, as to whether Dublin ought or ought not to have this particular Tramway Bill. They could not by this Bill concede Home Rule to the City of Dublin; but they could virtually, in practice, by deferring to the decision arrived at on the merits of the case by the local authorities, who knew most about the whole affair. All the local authorities, whether the Corporation of Dublin or the Commissioners of Rathmines, were unanimous in their opposition to this Bill. The case was not at all a matter of fares. He had had something to do with the introduction of the tramway system into the city of Dublin, and he would tell the House what it was that was underneath the Motion made to-day. The Corporation of Dublin gave this Tramway Company, the first that went to them, full powers to make 21 miles of tramways, and having got a monopoly they took, so to speak, the cream of the streets and the traffic, and made exactly 11 miles out of the 21. From that hour to this they could not be induced to make another mile in the streets that required it just as much as those which the Company had scooped out from the richest part of the city. Last year another Company came in to do what this Company would not do, and which they never thought of doing until another Company came in. Now this old monopoly Company came forward with an unreal Bill, and the Corporation of Dublin asked the House to throw it out, on the ground that it was brought in to defeat the endeavour of a new Company to break down a monopoly. The Corporation of Dublin, the Town Commissioners of Rathmines, and the whole of the frontagers were unanimous in opposing the Bill, and he hoped the House would reject it and not tolerate such an attempt to defeat a *bonâ fide* measure.

Mr. RAIKES thought the hon. Member for Tipperary (Mr. Gray) had put the question in the clearest and most forcible manner before the House. He did not for a moment mean to say that the hon. Member for Dublin (Mr. Brooks) was not exercising his full right in raising an opposition to the second reading of the Bill. The hon. Member would, perhaps, not have done his duty if he had not given the House an opportunity of expressing an opinion upon the measure; but, although it was a perfectly legitimate opportunity for expressing the dissatisfaction of the local authorities in regard to the proceedings of a Tramway Company, at the same time it was for the House to weigh how far they ought to take a step contrary to precedent, and which might lead to inconvenient consequences. If the question had been simply the one raised by the hon. Member for Dublin, the House might have been disposed to pause before reading a Bill a second time which was opposed by the local authorities. That was a ground well worthy of consideration; but, as the hon. Member for Tipperary had pointed out, there was another scheme competing with this which also proposed to construct tramways. That scheme had been read a second time without opposition from the Corporation of Dublin. That being so, he did not think the House ought to take upon themselves functions which would be better exercised by a Committee upstairs, who would have a much better opportunity of weighing all the merits of the two competing schemes. He believed he was not wrong in saying that the other scheme had received the sanction of the Corporation of Dublin as the local authority, and that the present scheme had not; and that there had consequently been in this case a relaxation in the Standing Orders, the Committee being of opinion that, under the peculiar circumstances of the case, a competing Bill might fairly be entertained. He did not think the House was a fit tribunal to decide upon questions of this kind, which would require maps and a plan of the district to guide the investigation. At the same time, it must be admitted that the Dublin Corporation were only fair in asking that, with regard to fares, the city of Dublin should be treated with the same liberality as London and Edinburgh. He did not, under the circumstances, think the House would act wisely in accepting the Motion proposed by the hon. Member for Dublin at this stage of the Bill; and he hoped that the hon. Member would withdraw it in order to enable the Committee upstairs to form an estimate of the advantages of the scheme, as compared with that of the Dublin Central Company.

Mr. BIGGAR thought the hon. and learned Member for Louth (Mr. Sullivan) had made out a strong case in favour of the Motion for the rejection of the Bill. In 1871 the Company obtained large powers to enable them to make tramways for the accommodation of the public, and one of the inducements on which concessions were made to them was that they would extend their system into the suburbs; but, instead of doing so, they had constructed their lines through the principal streets, and had left the suburbs entirely unprovided for. The same thing had occurred in Belfast; and, as the present Company originally had obtained power to make 21 lines of tramway, and had only made 11, they had broken their contract, and were not entitled to further consideration at the hands of Parliament.

MR. PLUNKET said, that, as to the appeal which had been made in the interests of the suburbs of Dublin that the Bill should be thrown out, he desired to mention that he had that morning received a letter from Mr. Vernon, who wrote as Chairman of the Pembroke township, in which he asked him to resist the Motion of the hon. Member for Dublin (Mr. Brooks). He did not inform him of the grounds of opposition, and he must confess he was not prepared to go fully into the arguments which had been adduced on the question. But he would say that, from the information which he had, there was a feeling that the Bill should have a fair hearing. And why should it not have a fair hearing? And why should not the objections to the Bill which had been raised be fairly gone into before the Committee, with a view of seeing how far the accusations against the Company were well founded? He thought that course the most desirable one, and readily gave his support to the Motion brought forward by the Chairman of Ways and Means.

MR. PARNELL reminded the House that this was a case in which the citizens of Dublin appeared before it through the Corporation, and in which important townships, like Rathgar and Rathmines, had complained that they had been neglected by this Company. Rathmines was a large and important township in the vicinity of Dublin—so important that they—the people of Rathmines—considered that in this particular they laboured under a great grievance. What were the facts? The Dublin Tramways Company some years ago obtained powers to construct 21 miles of tramway in Dublin and its vicinity. In consideration of the promises they gave, Parliament conceded to them privileges which were not enjoyed by any Tramway Company in England or Scotland. He was told that, among the other privileges, they obtained a right to a perpetual lease of the ground on which they were to lay down their tramways. Leases for this purpose on English or Scotch lines of tramway were not unlimited, as in this instance, but were terminable, under certain conditions, from time to time. They also obtained the right of levying a high rate of fares—higher than those paid in England, not because the people of Dublin had in general larger means, but because the English and Scotch Tramway Companies, though they had obtained powers to levy the same fares as the Dublin Tramways Company, had, after a time, reduced those fares from 2*d.* to 1½*d.* But the Dublin Tramways Company, unmindful of the public interests entrusted to them, prevented the public from deriving the benefits they were entitled to expect. What were the objects which the Bill sought to promote? It was not a Bill for constructing new lines of tramway, but for abandoning others which the promoters were bound to provide, and they made no move in the matter, in pursuance of their promise, until another Company came forward and proposed to run a line for a certain number of miles, for the benefit of the people of Dublin, and to charge lower fares. When this Company did that, the Dublin Tramways Company, like every other dog in the manger, said—"We will not do this ourselves, though we have the power. We have not exercised our rights; but we will not allow you to make these new lines, and give the public the advantage. We will go to Parliament and bring forward a fictitious Bill of our own." For this Bill was neither more nor less than a fictitious Bill, as anyone could see who looked at it—for, pretending to do one thing, it did another; pretending to desire to meet the wants of the public, it sought to abandon the lines it ought to have made for their accommodation. And the Tramway Company said—"We will not carry out our pledge, but we will prevent you—the public—from carrying out your wish." This was one of those questions which should never have come before the House at all; but if the House insisted upon such questions being brought before it, and on retaining its control over matters which did not concern it, but only the people of Dublin, he thought the House should perform its duty, and devote some time and attention to the matter at issue, and not relegate it to a Committee upstairs, who might or might not take the right view, or might know nothing of the feeling of the people of Dublin in the matter, or might not rightly perform the duties entrusted to them. He should have been glad if the Bill had never been brought before the House at all; but, having come before it, he thought they should have a better opportunity of dealing with it than they could have on that occasion. They were all of them anxious to get on to the next Orders, for which they had a special sitting that day; but if this discussion were to be continued, a good deal of valuable time would be expended on the question before the House. He knew that Mr. Vernon had written to-day to the hon. and learned Member for the University of Dublin (Mr. Plunket), and it was his opinion that the Bill should have full consideration; but the hon. and learned Gentleman said he was asked to support the Bill, and to oppose the Motion of the hon. Member for the city of Dublin, but he did not say why he was asked to do so. Now, he thought, under these circumstances, it would be only fair to the hon. and learned Gentleman that he should have an opportunity of putting forward his case; and, in order to give him that opportunity, and to enable the discussion to be taken in a more quiet and easy way, he begged to move the adjournment of the debate.

Mr. O'CONNOR POWER said, he rose to second the Motion for the adjournment of the debate. They had got into the discussion almost by accident. Hon. Members had been brought down, some at great inconvenience, to proceed with the Mutiny Bill, and he had no desire to prevent them from doing so. What he was anxious for was, that this matter should be fully investigated by the House, and to that end he seconded the Motion for the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Parnell.*)

Mr. Parnell

Mr. YOUNG observed, that the object of the present opposition was to throw the Bill out for the Session, and allow the other to proceed in its place. The House would see how little ground there was for it. The Bill was down for second reading a fortnight ago, and was then specially fixed for that day. The hon. Member for Dublin (Mr. Brooks) had, consequently, had a fortnight before him for looking into the matter and getting up his opposition to the Bill. If the present Motion for adjournment was carried, the Bill would, practically, go over the Session. They had already lost a fortnight that was available for Committee, while the other Bill was ready and had been so for some time; and if the Order were to be now adjourned to some indefinite day, practically, the Session would be over and the Bill defeated.

Mr. DILLWYN observed, that although Private Bills had been thrown out sometimes on the second reading, yet it was almost an unprecedented course. He thought it only fair that those who were interested in a case of this kind, relating to the traffic of Dublin, should have an opportunity of substantiating their complaints against the Company, which, they said, had so imperfectly performed the duty it had undertaken towards them. There were cases similar to this Bill, in which the Bill had been thrown out, and not postponed. He submitted to the House that it could only be fair, in view of the statements which had been made by those who represented the people of Dublin in that House, and fair to the people of Dublin themselves, if the House would allow the debate to be quietly adjourned. If that were done, it would come on again with the advantage to the Tramway Company of showing them the desirability of their making terms with those who were entrusted with the good management of the city. He hoped the House would consent to the adjournment of the debate, which he did not think, with the hon. Member for Helston, would have the effect of throwing out the Bill.

Mr. M. BROOKS said, that it had been stated that the object of the opposition to this Bill was to favour the progress of a competing Bill. He could assure the House he had not the slightest personal regard for, nor the slightest hostility to, either measure. His sole object in bringing forward his Amendment was to obtain for the poorer classes of Dublin the same advantages as were enjoyed by those of London, Glasgow, Edinburgh, and other places. In proof of the necessity for that, he might mention that he had seen a report of the Belfast Tramway Company, issued within the last few days, and which stated that the reduction from 2*d.* to 1½*d.* had increased their passenger traffic to the extent of 198,000 persons in six months. When he considered the enormous advantages which facilities for locomotion would give to the poorer classes, and of which, it was thus proved, they were disposed to avail themselves largely, he felt he should be wanting in what he owed, not only to his constituents, but to the House itself, if he did not call attention to the fact. One word more of explanation. As reference had been made to the competing Bill, he would point out that that Bill could go before the Committee, which would take cognizance of all the circumstances affecting it. But what he had said earlier in the morning, and what he had had from the Chairman of Ways and Means, was this—that a Committee upstairs would have no power of revising the existing Acts of 1871 and 1873, so that that being a moot point, the Committee might not be disposed to review that legislation. He did hope that, since this conflict was going on, the Motion for adjournment would be agreed to. It was still early in the Session, and no harm could be done; while the promoters of the Dublin Tramways Bill might be disposed to submit to such arrangements as had been found useful and beneficial to the public, and, at the same time, conducive to the interests of the Company.

THE CHANCELLOR OF THE EXCHEQUER said, it would be convenient for the House, if there were sufficient grounds for it, to consent to the adjournment, so that they might pass on to other Business. At the same time, they should not wish to adjourn a question fairly before the House only on that ground. As far as he could see, he thought there was reason for a short adjournment, and, as he understood, it would be very desirable that there should be as little delay as possible. He thought it would be convenient if the adjournment were until Friday next.

MR. M. BROOKS said, there would be no time to communicate with Dublin in that short interval. He must ask for Friday week.

MR. YOUNG consented to the proposal.

Motion *agreed to.*

Debate *adjourned* till *Friday*, 5th April.

QUESTIONS.

PRISON DISCIPLINE—FLOGGING.

QUESTION.

MR. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether there is any good reason why flogging as part of the system of prison discipline should be permitted in England, while it is illegal in Scotland; and, whether he will reconsider the propriety of altering in this respect the prison rules for England now lying upon the Table to the extent at least of mitigating the severity of thirty-six lashes with the cat?

MR. ASSHETON CROSS, in reply, said, he could not explain how it was flogging had never been permitted in Scotch prisons, but no Act of Parliament did permit it. He presumed that the people of Scotland were of a more orderly character than those of England. With regard to the latter part of the Question, flogging did not depend upon the rules of the prisons at all, but upon Statutes. The Statute of 1865 gave power—and he had no power to take it away—with respect to the special rules that now applied to this subject; and there was no power under that Statute to limit the discretion of the Visiting Committee on this matter. He had, however, done what he could in reference to it by substituting, as he believed he had power to do, an instrument of the nature of a birch rod instead of a "cat."

NAVY—SALE OF WORN-OUT BOILERS.

QUESTION.

MR. PLIMSOLL asked the First Lord of the Admiralty, If his attention has been called to the fact that the sale of worn-out boilers by the Admiralty has frequently led to their being refused as boilers, to the great danger of human life, as in the case of the "Gazelle," a new vessel which, having been fitted with boilers bought in this way, was destroyed in consequence of the boilers bursting the first time they were used; and, whether he is prepared to give the House an assurance that in future no boilers shall be sold as boilers unless they are still strong enough to be used for generating steam, and that all boilers unfit for use as boilers shall be so battered or otherwise dealt with, so as to preclude the possibility of any tradesman selling or using them except as old iron?

Mr. W. H. SMITH: Sir, the Admiralty have anticipated the hon. Gentleman. In October last, the Board of Trade represented to the Admiralty that a boiler, said to have been sold at one of the Dockyard sales, had exploded. The Admiralty immediately gave directions to prevent the recurrence of such an evil, and I cannot do better than read the instructions which have been given on the subject—

> "The Board of Trade having reported that a boiler which exploded a short time ago on board a steam-launch was alleged to have been purchased at one of the sales in Her Majesty's Dockyards, my Lords Commissioners of the Admiralty have decided that in future all old boilers are to be broken up in the dockyard by dockyard workmen, or under contract, if the state of the Vote will allow. If the old boilers cannot be so broken up, and it is found requisite to sell them, they are to be reserved for the next periodical sale as heretofore; but the conditions of sale shall expressly stipulate that such old boilers are sold to be broken up for use as old iron only; and, to prevent as far as possible any infringement of this condition, they are to be mutilated or partially destroyed before they are offered for sale, so as to preclude their being used again."

ARMY—BRIGADE DEPOT QUARTERMASTERS.—QUESTION.

Mr. PRICE asked the Secretary of State for War, Whether, as no quartermasters of brigade depôts have been provided for in the Estimates, and, as the officers now holding those appointments have been informed that they will be transferred to the Militia, the duties of quartermasters of brigade depôts will be performed by the Militia quartermasters, or by some combatant officer specially detailed for that duty?

Mr. GATHORNE HARDY: Sir, a Circular has recently been published which requires the quartermaster of a Militia regiment to do the duties of brigade depôt quartermaster when the Militia regiment is at the same station. When the Militia regiment is trained away from the brigade depôt station, some other officer will be specially appointed to act temporarily as quartermaster.

ROUMANIA—THE JEWS.—QUESTION.

Mr. Serjeant SIMON asked Mr. Chancellor of the Exchequer, Whether, seeing that Non-Christians are excluded from political rights in Roumania by the Constitution framed under the Convention of 1858, to which Great Britain is a party, and that the Jewish subjects of Roumania have under such Constitution been judicially declared to be aliens and have been treated as outlaws, Her Majesty's Government will use its influence in the Council of Europe about to assemble upon the Eastern Question, to secure for the Jews and all Non-Christian subjects and inhabitants of Roumania and of Servia and the other territories which have been, or are about to be, emancipated from Turkish rule, the enjoyment of equal rights without regard to creed or race?

The CHANCELLOR of the EXCHEQUER: Sir, on behalf of Her Majesty's Government, I have to state in reply to the Question of the hon. and learned Member that the House and the hon. Member may rest assured that the influence of Her Majesty's Government will be used as far as possible to obtain for all the inhabitants of Roumania the enjoyment of equal rights, without regard to their religious convictions.

ARMY—HEAVY ARTILLERY.
QUESTION.

Sir GEORGE BOWYER asked the Secretary of State for War, Whether it is true that the Government have purchased four 100-ton guns, and at what price; whether there is any armour afloat belonging to any country which can resist the 35 and 38-ton Woolwich guns; whether it is true that it is intended to make a 200-ton gun, or a gun over 200 tons, and at what cost; and, whether there is any ship in the service capable of carrying safely one or more 200-ton guns?

MR. GATHORNE HARDY: Sir, the Government have purchased four 100-ton guns, the price of which will appear when the expenditure of the Vote of Credit shall be considered. There is, I believe, no armour afloat at the present moment which can resist the 35 and 38-ton Woolwich guns; but there are vessels at this moment being built by foreign Powers which it is understood will be able to resist those guns. There is no intention on the part of the Government to make a 200-ton gun, nor, so far as I am aware, is there any ship in Her Majesty's Service that could carry it.

LAW AND JUSTICE (IRELAND)—MR. JUSTICE KEOGH.—QUESTION.

MR. SULLIVAN asked the Chief Secretary for Ireland, If he will lay upon the Table, and move that it be printed, (1) a Copy of the letter from Mr. Justice Keogh which he read to the House on the 25th instant, and (2) a Copy of the Charge of Mr. Justice Keogh reported in the Derry "Sentinel," as referred to in said Letter?

MR. J. LOWTHER, in reply to the hon. and learned Gentleman's Question, said, he should be happy to lay the Papers asked for on the Table.

LAW AND JUSTICE (SCOTLAND)—OFFICE OF LORD CLERK REGISTER.

QUESTION.

SIR ALEXANDER GORDON asked the Secretary of State for the Home Department, Whether it is in his power to state, for the information of the House, what course Her Majesty's Government propose to take with respect to the now vacant office of Lord Clerk Register and Keeper of the Signet? He would also ask another Question, of which he had given the right hon. Gentleman private Notice—Whether he is in a position to state the nature of the measures which Her Majesty's Government intend to propose for the supervision of education in Scotland?

MR. ASSHETON CROSS: Sir, the House will remember that the office of Lord Clerk Register was held some time ago by Lord Dalhousie. At that time, it was considered a sinecure office, and when the noble Lord went out to India he did not think it right to receive the emoluments, but gave them up absolutely. The gentleman who last held that office, and who has lately unfortunately died, had done so much good in superintending and performing the actual work of the office that the Government of the day thought, and this House agreed, that a salary should be assigned to him for the work he had done. He received that salary up to the time of his death, and has done great and good service. Now he is dead, the Government have considered what is the best arrangement to make, and they think it is not right to abolish the office of Lord Clerk Register, which is one of the high offices of State in Scotland; and they are also of opinion that, while it is not necessary or wise to abolish that office, it may be wise to give it to some person of rank in Scotland, whom they might consult with, and who should hold the office without any actual duties being assigned to him except general superintendence. The duties would be performed by a deputy, who would receive the salary, whilst the Lord Clerk Register would receive no salary. In connection with this matter the Government have had under consideration that which was long pressed upon them by hon. Members from Scotland—namely, the appointment of an Assistant Under-Secretary of State attached to the Home Office, who shall be specially charged with Scotch Business in aid of the Lord Advocate. Her Majesty's Government have decided to ask the House to allow them to bring in a short Bill to appoint this Under Secretary of State, who will have a seat in this House, who will be specially charged with the administration of Scotch affairs, who will receive the ordinary salary of an Under Secretary, and who will be expected at the same time to look after the Registry Office of Scotland. With regard to the second Question, as to the supervision of Education in Scotland, the House may have gathered that it is not the intention of Her Majesty's Government to continue the Scotch Education Board; but they think it necessary that Scotland should have a special Representative on the Committee of Council on Education, and therefore they have thought it right to advise Her Majesty that the Lord Advocate should be placed on the Education Board in England, and

I believe that he will be sworn in to-day of the Privy Council to effect that object.

ORDERS OF THE DAY.

MUTINY BILL.

(*Mr. Gathorne Hardy, The Judge Advocate, Colonel Loyd Lindsay.*)

COMMITTEE. [*Progress 25th March.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 22 (Courts-martial may not sentence to corporal punishment in time of peace).

MR. O'CONNOR POWER said, that this clause dealt with the question of capital punishment, and the Amendment he proposed was, in page 13, line 16, to leave out the words " during the time of peace within the Queen's dominions." What he wished to assert was the principle that corporal punishment should not be inflicted under any circumstances whatever. The clause as it stood only provided that the punishment should not be inflicted in time of peace. He was compelled to direct his Amendment to the clause in instalments of the nature of the one he now proposed.

MR. GATHORNE HARDY thought there could be no reason whatever, why, in time of disturbance, there should not be the power of inflicting this short and decisive punishment, when no recourse could be had to prison discipline. He, therefore, could not consent to strike out the words.

MR. P. A. TAYLOR said, that for his part, if the hon. Member (Mr. O'Connor Power) had not brought forward the question of flogging on this occasion, he (Mr. Taylor) should have been content to await the result of the Committee on the Mutiny Bill—and that for two reasons. In the first place, if this question was brought forward at this time, no Vote of the House would afford any indication to the country of how much that House was opposed to flogging in the Army; and secondly, because, as he understood the hon. Member, he did not propose the abolition of flogging, but only to reduce the number of lashes from 50 to 10. [MR. O'CONNOR POWER: No, no.] In that case, he would withdraw the observation; but he hoped the hon. Member would not go to a division, because the result would not stand well before the country. He trusted and hoped that the Report of the Committee would be such that no Government would ever again venture to introduce flogging in the Army. Not only was this brutal punishment degrading to the Navy and Army who were injured by it, but we were the last nation in the world who made use of it; and he did think that after the examination that would be made by the Committee, the clause would not be brought forward in any new Mutiny Bill. If it were to be re-introduced, the House would be able to make a strong stand against it. He would promise to oppose it by every means possible, and he believed that in future times there would be no flogging in the Army. He believed that the only reason why the Government had postponed year after year the bringing in of a new Naval Discipline Act was that it would be impossible to retain the cat in a new Act. Many years ago, Lord Clarence Paget described it as a Draconian code. For many years in that House he (Mr. Taylor) had opposed the flogging clauses of the Mutiny Act with varying non-success, until public opinion was fairly moved on the question. When a specific Resolution was moved by Mr. Otway in that House, and a majority obtained against flogging in the Army, it was then supposed that Government would deal with the question, and that flogging would be abolished; but, unhappily, there still remained in the Mutiny Bill this provision for flogging in time of war. He believed the reasons why no great objection was made to this condition were two. One was that we were rather in a dream of universal peace, and that the question would not arise. Another reason was, that it was believed that in time of war, in presence of the enemy, no commander would venture on such severity towards his troops. He was reminded by that of an officer who wrote to him on remarks made by the hon. and gallant Member for Galway (Major Nolan), on the wholesale flogging of soldiers in the field in Abyssinia. The officer said that, no doubt, the hon. and gallant Member was right; that the power of the provost marshal was unlimited, and led to a great deal of cruelty and injustice. They might have been mistaken in allowing the flogging clauses in the Mutiny Bill to pass year by year without criticism; but now the hon. Member had brought them face to face with the question, and he did hope that no Government would propose, and no House would sanction, the continuation of this degrading punishment. He would, therefore, ask the hon. Member not to divide now; but if he did, he would vote with him.

MR. PARNELL considered that the opinions of the hon. Member for Leicester (Mr. P. A. Taylor) were entitled to the greatest respect from everybody. He had for so many years devoted his attention to this subject, that those who had only recently had an opportunity of considering the matter ought not to disregard anything that came from him, or they might incur the suspicion that they were not doing what they did out of regard for the interests they desired to serve. But he wished to point out that the powers of flogging were wider than was supposed. Not only could it be administered in an army on active service in the field, but on board ship when not in commission. He presumed that soldiers could not be flogged on board ship without the operation of this Act. He did not, however, know how the law stood with regard to soldiers on board ship in commission, or whether they were bound by the Marine Mutiny Act. With regard to the general question, of course, as there was to be a Committee on this subject, and as the House seemed very strongly impressed last Session with the necessity of doing away with flogging altogether in the Army and Navy, and as Her Majesty's Government seemed to consider the desirability of doing away with it altogether, if that favourable disposition continued, he thought the hon. Member for Mayo (Mr. O'Connor Power) would bring great opposition on himself, if he did not accept the invitation of the hon. Member for Leicester (Mr. P. A. Taylor). Many hon. Members of that House might look upon the opposition which some of the Irish Members had felt it their duty to make to this Bill was an opposition which might have been actuated by other motives than those they had avowed. He did not think hon. Members of that House, or even the Secretary of State for War, after what he had stated on the previous night, could give credence to that opinion. Although they might feel it their duty to move the various Amendments on the Paper, yet in view of the appeal of the hon. Member for Leicester, it was incumbent upon them to see whether, if they persevered, they would not really do harm to the cause of the abolition of flogging in the Army. It was true this subject would go before the Committee fortified by the vast majority of public opinion in favour of the abolition of flogging, and also fortified by the general feeling and sentiment of that House. It was important that nothing should be done to put a stop to that sympathy; and it might be that if they went to a division after the speech the Secretary of State for War felt it his duty to make on the previous night, some hon. Members might be led to walk into the Lobby on behalf of a punishment they really did not believe in. Consequently, this question of the abolition of flogging might appear in a less favourable light than it did last Session, and he could not help seeing that there were circumstances which rendered it undesirable to carry the opposition shown by this Amendment further. If the hon. Member for Leicester had taken up the subject upon every Mutiny Bill, flogging would have been abolished before now. After unexampled exertions, the House was anxious for the relaxation of the Easter Recess, and would probably regard a prolongation of the debate with dissatisfaction and annoyance; and he could not, therefore, take upon himself the responsibility of urging the hon. Member for Mayo to persist in his Amendment.

MR. BIGGAR remarked, that he was unable to agree with the mild course suggested, however judicious it might appear. It must be a very unpleasant thing for any hon. Member to vote in favour of flogging in the Army; and the best policy, therefore, would be to allow the odium to rest on parties who voted in favour of the retention of flogging, while those who opposed it should have an opportunity of expressing their opinions on the subject. It seemed to him that at least some Member of the Government should express an opinion that, in proposing a new Mutiny Bill to the House, there should be some modification of such a clause as this. They ought not to leave this question of flogging in the Army to the mere chance that the Committee would vote against it, and that the Government of the day would vote against it. They would have first to get a Committee who would make such a recommendation, next a Government that would support the Committee, and they would also have to get the general support of the House next year. It would be a more simple matter if the Government would give way and get rid of the system once for all. Irish Members were held up to odium, because they raised questions and proposed Amendments which they sincerely felt were important not only to the cause of humanity, but also to the British Army. Now, he thought it was only right that some consideration should be given to the soldiers who were the bone and sinew of the Army, and he should therefore be disposed to follow whatever course the hon. Member for Mayo (Mr. O'Connor Power) felt disposed to take. Mutiny Bills had been passed for a number of years without opposition, and there were no concessions. His opinion was that the only way to get concessions was to make rather determined opposition, because reason and common sense did not carry as much weight as they ought to carry.

Mr. H. SAMUELSON, in recommending the adoption of the course suggested by the hon. Member for Leicester (Mr. P. A. Taylor), trusted the Government would give the Committee some information as to the possible character and constitution of the Committee or Commission who were to sit on this Bill, because such a Committee or Commission would be viewed with jealousy or otherwise according to its constitution. No one was more opposed to flogging than he was. It seemed to him that it should be confined to the most degraded characters. At the same time, it was very difficult to say what was to be done with bad characters in the field. It was difficult to say whether, if flogging on service were to be abolished, some more serious penalty would not be summarily inflicted.

Mr. GATHORNE HARDY: Sir, with regard to what the hon. Member has said, the Committee will be appointed by this House, and will not be in my Department.

Mr. H. SAMUELSON: I beg pardon; I thought there might be a Royal Commission.

Mr. MITCHELL HENRY: May I ask if the Committee is to be appointed immediately, and to report this Session?

Mr. GATHORNE HARDY: Certainly. I intend to ask for the Committee directly, and it will sit as soon as possible; but I think not before Easter.

Mr. O'CONNOR POWER, with reference to the suggestion of the hon. Member for Leicester (Mr. P. A. Taylor), and the remarks on the Committee that might be appointed, said, that the hon. Member for Leicester founded his impression entirely on the supposition that some Committee would be appointed that would easily be induced to abolish flogging—in fact, he thought that they had already killed the cat; but, judging from the statements of the right hon. Gentleman the Secretary of State for War, who had charge of the Bill, and whose influence would be great in appointing the Committee, and doubtless in shaping the decision of the Committee, he did not think they could rely upon the support of the right hon. Gentleman in abolishing flogging in the Army. Therefore, they had really nothing to go upon so long as Her Majesty's Government took no steps to meet them half-way. Soldiers were liable to corporal punishment to the extent of 50 lashes, and there was nothing to prevent a man who had received 50 lashes to-day being sentenced to receive another 50 lashes in three months time. After what had been said on the subject, he should not, however, press the two Amendments before the House; but he would test the feeling of the House upon a subsequent Amendment, by which he sought to reduce the number of lashes which it was now within the power of a commander to inflict. He wished to reduce the number of lashes from 50 to 10, which he considered itself a most severe sentence.

Amendment, by leave, *withdrawn.*

Amendment following, by leave, *withdrawn.*

Mr. O'CONNOR POWER rose to move, in page 13, line 23, to leave out "fifty" and insert "ten." In a sentence of corporal punishment 10 lashes was a very severe sentence. Those who had seen soldiers flogged knew how quickly any man subjected to that punishment became insensible. He could not conceive how any man could bear such an infliction. It was simply impossible except in the case of a man of iron constitution.

MR. P. A. TAYLOR remarked that he had an Amendment previous to that. He wished to move the omission of the words, in line 22, "or any breach of the Articles of War." If we were to have flogging, the nature of the offences should be distinctly defined. It should not be left to the interpretation of the commanding officer to say what was or was not an Article of War. The hon. Member concluded by moving the Amendment.

Amendment proposed, in page 13, line 22, to leave out the words "or any breach of the Articles of War."—(*Mr. P. A. Taylor.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. PARNELL thought this an important Amendment. If he were to make an assertion that there was not a single Member of that House who understood the Articles of War, he should not be very far from stating the truth. Judging from the experience of this Session and last Session, he doubted whether the right hon. Gentleman the Secretary of State for War understood them himself. He believed it was only the combatant branches of the Service that were placed under the Mutiny Act, and it appeared to him to be a great hardship that any breach of the Articles of War should be punishable by flogging. The Articles of War were very numerous, and were continually being altered. It was perfectly impossible for any private soldier to know what these Articles were, or what breaches of the Articles of War rendered him liable to punishment. If the Committee read these Articles of War, they would see for themselves that there were all sorts of crimes and offences put down of a trivial character, such as ought not to be punishable by flogging under any circumstances whatever. It was rumoured abroad that the Secretary of State for War had determined to pass this Bill *ipsissima verba* without the alteration of a single line. Now, he thought it might be better, under these circumstances, to place the House of Commons under martial law. He supposed the right hon. Gentleman thought the House was under martial law already. It would be better if the Secretary of State for War brought in a short Act to operate until Easter, providing that all Members of the House of Commons should sit silent.

MR. GATHORNE HARDY said, that the hon. Member had on one or two occasions attributed to him powers which he did not possess. Yesterday, he believed it was said that he had an intention of reducing the hon. Member, with some other hon. Members, to impalpable pulp. Now, he neither had the power nor the desire to do that. He had asked the House to pass the Bill in its present shape under the following state of things:—It was going to be referred to a Committee. The hon. Member for Mayo seemed to think that he (Mr. Hardy) would sit on that Committee. He had a great deal too much to do for that. He should take no part in its deliberations, nor endeavour to affect its voice in any way. He certainly asked the Committee, as far as they possibly could, to pass the Bill in its present shape, with a view that there might be a thorough investigation hereafter into the whole subject.

Question put.

The Committee *divided*:—Ayes 198; Noes 82: Majority 116.—(Div. List, No. 70.)

MR. O'CONNOR POWER moved, in line 23, to reduce from 50 to 10 the number of lashes that might be ordered by the Commander-in-Chief. The question of the number of lashes was, he said, a very important one, because he was told that the severity of this corporal punishment depended, to a great extent, upon the size or length of the handle of the lash which was used. Therefore, he should be glad if the Secretary of State for War would give the Committee some information on that point. He remembered that in the course of the discussion which took place last year, the hon. and learned Member for Louth (Mr. Sullivan) recommended that the First Lord of the Admiralty in the one case, and the Secretary of State for War in the other, should become responsible for the character of the lash to be used. The right hon. Gentleman's attention had been directed to the matter since then, and, perhaps, he could give them some information on the point. In any case, he thought that he would be justified in asking for the opinion of the Committee upon the question that the number of lashes should be reduced from 50 to 10.

Amendment proposed, in page 13, line 23, to leave out the word "fifty," in order to insert the word "ten."—(*Mr. O' Connor Power.*)

Question proposed, "That the word 'fifty' stand part of the Clause."

MR. GATHORNE HARDY remarked, that the subject had not been brought before him. He would remind the Committee that the cases of flogging which were here referred to were cases which might arise on active service in the field. He would make another appeal to the Committee to get through the Bill as quickly as possible, and would promise a complete inquiry into its operation.

MR. PARNELL reminded the Committee that when the discussion on the Mutiny Act took place last Session, the right hon. Gentleman the late First Lord of the Admiralty (Mr. Hunt), in response to an Amendment which was then moved, undertook to see that no cats should hereafter be used in the Service except such as were of a pattern approved by himself. That arrangement might or might not have been carried out with reference to the Navy; but he was inclined to think it had been, because he observed that in the Prison Rules issued this Session by the Home Secretary, provision was made with regard to the size and weight of the cat, the number of knots on the lashes, the strength of the cord, and so forth. In short, the Rules provided that there should be an uniform cat for all the prisons under his jurisdiction. Now, it was true that in the Army there had been no punishment of this kind inflicted during the last year or two; because this country had not been at war with any of the European Powers, and it had not been necessary to inflict corporal punishment. But the country might be involved in war, and it would be well if the right hon. Gentleman was prepared to deal with this matter. They could not have the Report of the Committee, which was promised, for another year—this Bill would be in force during all that time, and even for a longer period—and, consequently, it behoved the House to make provision that this punishment should be of a rather more humane character, and that the selection of the weapon should not be left to the caprice of the officers commanding regiments, but that the Secretary of State for War should himself see that the cat was of such a nature that it should not be an instrument of torture but a mere instrument of punishment. He hoped that the Secretary of State for War might see his way to giving a similar undertaking to that which both the Home Secretary and the First Lord of the Admiralty had already given.

MR. P. A. TAYLOR intimated that he could not support the Amendment, as to do so would be to admit the principle that flogging ought to be inflicted. He hoped the hon. Member would not compel the Committee to divide. If he did, for his part, he must walk out of the House—and all the more because it was not a practical question until the country was at war.

MR. O'CLERY observed, that the soldiers of all other European nations must wonder that Englishmen could be found to join an Army in which men were subject to so degrading a punishment as that of the lash. Let them contrast the position of the Regular soldiers at home with that of the Regular soldiers of any Continental Army in which flogging was absolutely out of the question. Take, for example, the French soldier. The moment he put on his uniform, he was then and there invested to some extent with a nominal rank, and death alone was considered as the fitting punishment for any great offence. The uniform on that simple soldier was respected throughout France — in the theatres, the railways, and, in fact, everywhere. Point to the uniform of a British soldier, and it was tabooed. A private soldier dared not go into a first-class carriage; or if he did, he was at the mercy of any railway official who might choose to put him out of it, even although he had paid his first-class fare. A soldier, wearing the uniform of this country, which boasted so much of the deeds of its soldiers, dared not go into a dress-box in a theatre, simply because he had not Her Majesty's commission. Another instance of the stigma which attached to these men was to be found in the fact that at the very moment when standing in front of their enemy with the prospect of receiving a bullet, there was this further prospect in view for them—that they might get the lash from their own officers. Certainly, the prospect was not a very cheering one to the soldier, and he (Mr. O'Clery) was inclined to think that it would be wise to abolish altogether the inhuman punishment of flogging. Either they thought their soldiers were worthy of the name of soldiers or they did not. If they were only to be regarded as malefactors in disguise, over whom must always be kept the lash, why not say so, and have done with the speeches which were being continually made at social and other gatherings in response to the toast of "The Army, Navy, and Volunteers." He thought that the position occupied by the soldier in this country ought to be well known, and he was sure that the soldiers of nearly every other country must look on with amazement at Englishmen who prided themselves so much on the liberty they enjoyed willingly subjecting themselves by entering the Army to punishment of this kind. He would vote for the Amendment, but he did not wish in doing so to be understood as supporting punishment by flogging. There was nothing, in his opinion, which had such a demoralizing effect on the soldier. In case this country was at war, the Volunteers would most probably be placed under the Articles of War; but he questioned whether Englishmen who hitherto had been engaged in professions in the country would care to subject themselves to such punishment as flogging.

MR. MITCHELL HENRY said, it seemed to him that as the Committee had not been called upon to divide against flogging altogether, it was a matter of consistency whether they ought to go to a division on this question or not. He certainly had the very highest respect for the opinion of his hon. Friend the Member for Leicester (Mr. P. A. Taylor), and he thought that there was great wisdom in what he had said. He (Mr. Mitchell Henry) was totally unable to vote in favour of administering 10 lashes to a soldier, if, at the same time, he were in favour of abolishing the punishment altogether. It seemed to him that if they had debated the question of abolishing the punishment and taken a division and been beaten upon it, it might then have been justifiable to propose to reduce the number of lashes. Indeed, he rather apprehended, if next Session it was proposed in the new Bill to re-instate flogging as part of the discipline of the Army, that probably some course of that kind would be taken. But if the Committee were, under present circumstances, to divide upon this question, and they by any chance got a vote in favour of the diminished number of lashes, it would certainly be said, and said with some effect, that the House of Commons had already considered the question of flogging, and had come to the conclusion that it was right that 10 lashes should be inflicted. On these grounds, he hoped that his hon. Friend (Mr. O'Connor Power) would not divide the House. Their object would, he thought, be better attained hereafter under the guidance of their able and experienced leader on this question—the hon. Member for Leicester.

MR. O'CONNOR POWER thought that the position taken up by the hon. Member for Leicester (Mr. P. A. Taylor) was a most illogical one. The hon. Gentleman had said that he could not vote for the Amendment, because by so doing he would assert the principle that 10 lashes might be inflicted. But if the hon. Member sat silent while the question that 50 lashes might be inflicted was put from the Chair—and silence gave consent—was he not still more responsible for the very thing the odiousness of which he recoiled from? If he only considered the point a little, his sound intellect and clear reasoning powers must show him that he (Mr. O'Connor Power) occupied the only logical position. Therefore, he was unable to accede to the hon. Member's appeal, even though it had been backed up by the authority of the hon. Member for Galway (Mr. Mitchell Henry). When he consented, a short time ago, to abandon the two previous Amendments, he distinctly indicated to hon. Gentlemen that he should ask their opinion upon the question whether it should be 50 or 10 lashes? That was the time for the hon. Member for Galway to have interposed. He did not see that it was possible for him to withdraw from that engagement. It was open to him to move the rejection of the clause, but the chances were that they would fail in any attempt to abolish flogging altogether. Therefore, he thought it better to seek to mitigate the evil of which he complained; and if, because he was entirely opposed to this punishment, he was told that, in endeavouring to mitigate the evil, he was taking up an illogical position, he must say that his Irish understanding failed to grasp the situation. If the hon. Member for Leicester wished to convince him that his position was sound, he must throw a little more light upon it than he had yet done.

Mr. O'DONNELL suggested, as a most important point for the consideration of the Committee, whether it would not be advisable that the Government should be able to go to the country, in the present position of affairs, and ask men to enter a Service not degraded by flogging, in the first place, and, at any rate, not terrorized over by excessive flogging, in the second place? The right hon. Gentleman the Secretary of State for War could hardly do a better thing, or one more calculated to popularize the Service at this moment than to frankly announce his intention to altogether abolish the horrible custom of flogging in the Army. At the very moment when a Ministerial journal was ringing with contemptuous phrases for a Service in which the use of the knout was retained, the Government would be doing a by no means inexpedient nor unwise thing if they abolished the knout in the British Army. The hon. Member for Leicester (Mr. P. A. Taylor) was illogical and untrue to the position he had taken up in that House on the question, when, because he could not abolish a gross evil altogether, he refrained from making an endeavour to mitigate it. His reputation for consistency must suffer by the adoption of such a course.

Mr. P. A. TAYLOR failed to see that he had been guilty of any inconsistency in the course he had taken on the question. The reason he did not vote for the Amendment was, because he thought he saw a chance of making a good fight against flogging to any degree whatever when the new Mutiny Bill came before the House. He would not support the Amendment, because he was not in the habit of voting for anything he did not wish to see carried, and he should be very sorry to see a proposition in favour of 10 lashes adopted, for that was the effect of the Amendment before the House.

Dr. KENEALY asked for an expression of opinion upon the question from the military officers and hon. Gentlemen skilled in military affairs, sitting in the House.

Mr. BIGGAR hoped the hon. Member for Leicester (Mr. P. A. Taylor) would re-consider his decision upon this question, as it involved the point, not whether 10 lashes should be continued, but whether the punishment of 50 should be altogether abolished; so that, on the most logical grounds, the hon. Gentleman was bound to support the Amendment. It had been urged, as against the Amendment, that England was not at war at present; but it was notorious that there was a noisy Party that had been encouraging the country to go to war. It was well-known that some Members of the Government took one view, and others a different view upon the question, and that the Prime Minister was in favour of going to war.

The CHAIRMAN said, a discussion on the foreign policy of the Government was hardly relevant to the question before the Committee.

Mr. BIGGAR said, it must always be inconvenient to have to stop in the middle of a sentence, or before one had concluded an argument; and especially was it so in this instance, when he had been going on to show that the question of flogging in the Army might come prominently forward during the next three months. Suppose England went to war within that time, this clause would come into operation, and the rank and file of the Army would be liable to the punishment of flogging. They all knew how strongly the punishment was disliked by the men of the Army, and there could be no doubt that it would act as a check upon men volunteering into the Regular Service. At Truro, when some Volunteers were asked whether they would be willing to go on active service, only one of the number responded. An eminent military authority had recently given the number of efficient Volunteers; but if many of them were only willing to wear their uniform on State occasions, they could not be calculated upon as likely to join the Regular Army in case of necessity in the defence of the country. But if the Articles of War could be made less severe, there would be a better chance of inducing Volunteers to enter the Regular Service of the country, and so to make some addition to the *bonâ fide* fighting forces of England. The fact that a number of gentlemen had refused to volunteer for active service under present conditions, was an argument in favour of changing them, and in support of the Amendment.

MR. O'DONNELL said, that if the Government would engage not to go to war until the Report of the Select Committee on the Bill had been presented, there would be no necessity to press the Amendment.

Question put.

The Committee *divided:*—Ayes 223; Noes 84: Majority 139.—(Div. List, No. 71.)

On Question, "That the Clause stand part of the Bill?"

MR. O'CONNOR POWER said, there seemed to be no provision limiting the period during which these sentences of 50 lashes might be inflicted. He moved to add to the end of the Clause the words—

> "Provided always, that no sentence of corporal punishment shall be inflicted twice in the same year."

Amendment proposed,

> At the end of the Clause, to add the words "Provided always, That no sentence of corporal punishment shall be inflicted twice in the same year."—(*Mr. O'Connor Power.*)

Question put, "That those words be there added."

The Committee *divided:* — Ayes 39; Noes 251: Majority 212.—(Div. List, No. 72.)

Question, "That the Clause stand part of the Bill," put, and *agreed to.*

Clause 23 (Power to inflict corporal punishment and imprisonment).

MR. O'CONNOR POWER moved to omit the words "with or" in line 26, on page 13. The hon. Member said, the clause was a very harsh one in that it gave power to inflict corporal punishment, hard labour, and solitary confinement, and contained no provision to prevent the authorities from sentencing a prisoner to hard labour immediately after he had endured a flogging. There ought to be, at any rate, some limitation as to the time which should intervene between the infliction of the corporal punishment and the commencement of hard labour.

Amendment proposed, in page 13, line 26, to leave out the words "with or."—(*Mr. O'Connor Power.*)

Question proposed, "That the words 'with or' stand part of the Clause."

MR. PARNELL, in supporting the Amendment, said, he had hoped that the right hon. Gentleman the Secretary of State for War would have taken some notice of the Amendment. He could scarcely think the right hon. Gentleman meant to leave the clause as it stood in the Bill, for in its present form it was simply barbarous. The time had come to make some alteration in the Mutiny Act, at least as far as the provision under consideration was concerned. It seemed impossible, however, to appeal to the Government successfully, for the Secretary of State for War seemed determined to pass the Bill as it stood without altering a word or a line. It was not for him to inquire as to the motives of the right hon. Gentleman; but he was mistaken if he supposed that, by refusing to make any concessions, however small, he was likely to avoid a Report on the Amendments, because it would compel him, and those who acted with him, to take divisions upon questions which the right hon. Gentleman might have reasonably conceded. It was not humane, it was not to be tolerated that courts martial should be empowered to inflict sentences of hard labour and solitary confinement in addition to flogging. No considerations of getting away into the country for the Easter Recess ought to interfere with the Secretary of State in his wish to amend the Bill, and set the House right in the eyes of the country.

MR. J. HOLMS wished to appeal to Irish Members to let the Bill pass for this year, having obtained from the Government the concession of a Select Committee, which was to inquire into the whole of the matters dealt with in the Mutiny Bills. The Committee would be composed with great care by the Government, assisted by the Members sitting on the front Opposition bench. They would have to deal with many matters of detail, and he thought such matters had better be left for the calm consideration of a Committee upstairs, than considered in the heat and hurry of a Committee of the Whole House.

Mr. O'DONNELL, said, the hon. Member for Hackney (Mr. J. Holms) did not seem rightly to appreciate the difficulties of the Government. Last year the Government engaged in a precisely similar manner to appoint a Select Committee; but the lamented death of a Member (Sir Colman O'Loghlen) put an end to the proposal; and there were a number of things which might intervene between this and next Session to prevent them from carrying out the intention which they had recently announced. He thought, therefore, that it would be better for the Government now to make some temporary concessions, in order to show that they were in earnest in their desire for reform. Appeals to Irish Members were all very well, and were very frequently made; but he thought it would be as well to address such appeals to Her Majesty's Government, whose duty it was to do something from year to year to remove some of the more gross inequalities, and so lighten the labours of the coming Committee.

Mr. GATHORNE HARDY hoped it would be quite understood that he made no appeals to Irish Members. He had long ceased from doing so, for he had found that there was no use in it. The hon. Member for Meath (Mr. Parnell), who chose to lecture him as to his duties, seemed to think it was part of his duty to reply to any and every speech which might be made by himself and his Confederates——

Mr. MITCHELL HENRY submitted that the right hon. Gentleman ought to withdraw the word "Confederates."

Mr. O'CONNOR POWER: I move that the words of the right hon. Gentleman be taken down. He has used the word "Confederate," which is an objectionable and threatening word. The right hon. Gentleman last night used threatening language to hon. Members, which was allowed to pass then; but we will not allow this to pass.

The CHAIRMAN pointed out that the hon. Member for Mayo was himself out of Order in applying the epithet "threatening" to language used by a Minister of the Crown, and added, that the word "Confederate" was not by itself, or as used by the right hon. Gentleman, a word of abuse or contempt.

Mr. GATHORNE HARDY said, he had not, in using the word "Confederates," any intention to cast any imputation on anybody. He himself was surrounded by a number of "Confederates," with whom it was his pride to act, and he had never yet heard that "Confederacy" was a term of offence. The Irish Members had professed themselves to be a Party separate from the other two Parties in the State, and must, therefore, be described as a Party who had confederated themselves together for certain purposes of their own. He was, therefore, quite at a loss to understand the objection which had been taken to his use of the word. If he were to reply to all the remarks that had been made over and over again—to the same arguments, if such they could be called, that had been repeated, in different words—he should detain the Committee as long as it had been detained by others. Passing on to the subject-matter of the discussion, he would remind the Committee that the clause was one which referred only to time of war or to the circumstances contemplated in the preceding clauses, which had already been debated for two hours. The clause was inserted as a mitigating clause in the Mutiny Act of 1868, and, in spite of the many small wars in which the country had been engaged since that time, there were only three cases of corporal punishment recorded, and those all took place in the year 1873.

Mr. MITCHELL HENRY said, that, so far from the Irish Members having acted as confederates in reference to this measure, the Committee must be aware that on several points they had been divided in opinion, had spoken on opposite sides on various questions, and on not a few occasions had assisted the Government in pushing the Bill forward. The right hon. Gentleman said that he had ceased to appeal to the Irish Members, for it was of no use. That was unjust, because many of the Home Rule Party had left the House rather than support some of the Amendments moved by their Colleagues, because of the opportunity that would be afforded for debating the Bill when it came from a Select Committee, and others had deprecated persistence in proposing Amendments now; but still he (Mr. Mitchell Henry) contended that the Government were unreasonable, because they would not accept a few Amendments to remedy patent and admitted evils, and as an indication of their feelings that the law required amendment. Instead of that, the right hon. Gentleman had come down to the House apparently determined to force the Bill *verbatim et literatim* upon hon. Members—a course of which he (Mr. Mitchell Henry) thought the House had a right to complain. He was inclined to make every excuse for the Secretary of State for War, on account of the strain which the present state of the country put upon him; but he could not help thinking that the right hon. Gentleman would get through his work better if he would not take offence at everything that was said or done, and then retort in language as offensive as any that had been used. He appealed to hon. Members whether the right hon. Gentleman did not use just now, for the purpose of saying things as stinging and disagreeable, offensive and harsh, as it was possible, when he made the speech in which he described certain hon. Members as "Confederates" of the hon. Member for Meath? The meaning of the word, used offensively, in the English language was, as a general rule, "sharper." In gambling, the word "Confederate" was used to denote a person engaged in producing results of a not very creditable kind. What would the Committee have said if he (Mr. Mitchell Henry) had spoken of the Judge Advocate General as the "Confederate" of the right hon. Gentleman? He should have been stopped immediately.

THE CHAIRMAN informed the hon. Member that he was not in Order in assuming that he would be treated differently from any other Member of the House, and that it was not customary for hon. Members to cast such imputations upon the Chair.

MR. MITCHELL HENRY said, he had no intention of doing so. He only wished to say that the right hon. Gentleman and his "Confederate," the Judge Advocate General, who sat by his side, and who had not thrown the least light on the Bill, or offered a single observation, seemed determined that the Bill should pass without alteration. If that was the case, he thought it ought to be plainly understood. The right hon. Gentleman had himself admitted that great alterations in the Bill were necessary. Under these circumstances, if the hon. Member for Mayo (Mr. O'Connor Power) chose to divide, he (Mr. Mitchell Henry) would support him, although he had not previously done so.

MR. PARNELL wished to reply to the observations of the right hon. Gentleman the Secretary of State for War, and for that purpose would move to report Progress. They had been invited to refrain from taking any action on that Bill because the Secretary of State for War had promised a Select Committee to inquire into it; but the same promise was made last Session, and yet it was not kept. But the fact that there were a number of hon. Members in that House who were determined to expose all the abuses and cruelties under which Her Majesty's soldiers were suffering, could not fail to have a very important and beneficial effect on the deliberations of that Committee. Besides, it was contrary to the principles of Constitutional freedom to prevent Members from expressing their conscientious opinions. If such a system of repression had always prevailed in that House, they would not have been in the proud position they held now. They would have still been very much as they were in the Middle Ages. A very slight acquaintance with history would convince anybody that reforms had always been due, in the first place, to the persistence and courage of a minority. He now thought they ought to stop, and, with that view, he would move to report Progress.

MR. O'CONNOR POWER seconded the Motion. So far from being an inducement to hon. Members to forego their opposition to the objectionable parts of this Bill, the appointment of a Select Committee was a well-known expedient resorted to for the shelving of a disagreeable subject. Over and over again Select Committees and Royal Commissions had reported without the slightest effect. He saw no force, therefore, in the appeal which had been addressed to himself and other hon. Members by the hon. Member for Galway (Mr. Mitchell Henry). If the right hon. Gentleman had endeavoured to conduct the discussion with something like coolness, Progress might have been made; but he only impeded Business by his perpetual interruptions, raising false issues, and exciting the House. Why did he not allow his young "Confederate," the Judge Advocate General, to say something, or the Financial Secretary for War, who might be glad of an opportunity of fleshing his maiden sword on that occasion? He saw no necessity for a display of temper on the part of the right hon. Gentleman the Secretary of State for War, and he did hope the Committee would be allowed to proceed with its Business.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

Mr. FRENCH: I must say I have heard with much stronger feelings one remark which has been made by the right hon. Gentleman than I heard that to which attention has been called. The right hon. Gentleman spoke of hon. Members who were obstructing the Bill as the Irish Members. Well, there are many Irish Members on this side of the House as well as on that who do not agree with them. I am one of them. I must observe that I do not think that these hon. Gentlemen in any sense represent the Irish Members, or anyone else except themselves.

Mr. GATHORNE HARDY: I ought to apologize to the hon. Member, and other Irish Members, for having used a general term. When I said Irish Members, of course I referred to those who have been discussing the clauses of the Bill, and I certainly did not intend to include the general body of the Irish Members in my remark. I only referred to a section of them.

Mr. O'DONNELL advised the hon. Member for Roscommon (Mr. French) not to be greatly disturbed by imputations of the kind referred to. It was not very probable, judging by his conduct on Irish and general questions, that he would be exposed in any future Parliament to the odium he now complained of.

Sir JOSEPH M'KENNA: Sir, I rise to Order. I do not think that that is language which ought to be addressed to a Member of this House. In the course of these divisions, with very few exceptions, I have voted with those hon. Gentlemen who have been termed "Confederates." I object to the term, although I admit it has been explained away; but I object still more strongly to the language just used, or to any hon. Member rising in his place and signifying that if any Irish Member expresses views which he deems it his duty to express, he is to be threatened that he will not be returned again. Is an outcry to be got up against a Member because he expresses his views, and are we to be told he will not be returned again? I say that, if that is possible to be done without rebuke, this House would not be a place worth sitting in.

Mr. PARNELL: I think the hon. Member for Youghal (Sir Joseph M'Kenna) ought to take the trouble, when he rises to address the House on a point of Order, to accurately report what has been stated by the previous speaker, and to which he wishes to take exception. I listened very attentively to the hon. Member for Dungarvan (Mr. O'Donnell), and nothing that he said in the slightest degree or extent could bear the interpretation which the hon. Member for Youghal has placed on it. I think I may add that the hon. Member for Youghal reserves his valuable assistance on occasions of this kind for the enemies of the Irish Members. He has never come to my assistance on any occasion that I know of.

The CHAIRMAN: I understood the hon. Member for Youghal to rise to a point of Order. I may say, however, that if the hon. Member for Dungarvan had used any words of the kind bearing the meaning imputed to him by the hon. Member for Youghal, he would be out of Order; but I understood the hon. Member for Dungarvan to express his opinion as to certain results that may happen; and he is quite entitled to so express himself.

Mr. O'DONNELL said, there was no threat whatever in his language. He had simply used an expression which was very common in that House. At the approach of the General Election, hon. Members constantly told one another that such or such a course would result in the diminution of their respective Parties. Now, he held a similar opinion with respect to the results of the next General Election in Ireland. Personally, he had nothing but a high opinion to express of the hon. Member for Roscommon (Mr. French), but repudiation on political questions only begot repudiation. The final settlement of these matters lay with the country, and he had done nothing more than remind the hon. Member that there was a country to consult. As regarded the Bill, he thought that, notwithstanding the promised Committee of Inquiry, something ought to be done at once. The Committee, even if appointed at once, would probably be a long time in reporting. There were clauses in this Bill which the sense of justice of the House could not allow to pass. One, which established public slavery, he begged the permission of the House to read.

THE CHAIRMAN pointed out that this would be out of Order.

MR. O'DONNELL said, in that case then he would content himself with remarking that there were a number of clauses in this Bill of an antiquated and pernicious character. One hon. Member had spoken of the Bill as almost hundreds of years old; but, surely, that was not an argument which would weigh with the House. At least, one clause would have to be amended before the Bill left the Committee.

MR. BIGGAR complained that not one argument had been employed by those who condemned the conduct of the opponents of the Bill. The hon. Member for Roscommon (Mr. French) ought to have shown why he differed from his fellow-Members from Ireland. If he had given his reasons, they might have been convinced by them. Hon. and right hon. Gentlemen opposite seemed to get very hot in the discussion. Now, he had always understood that this was a sign of a bad case.

MR. PARNELL, expressing a desire that Business should proceed, withdrew his Motion.

Motion, by leave, *withdrawn.*

Question put.

The Committee *divided:*—Ayes 291; Noes 28: Majority 263.—(Div. List, No. 73.)

MR. O'CONNOR POWER said, he had placed the following Amendment on the Paper:—Page 13, at end, leave out "the periods prescribed by the Articles of War," and insert "seven days." His object was to minimize, as far as he could, the punishment of solitary confinement. He had, on a former occasion, made a proposal of a similar character, and, therefore, he did not feel at liberty to press this Amendment on the attention of the Committee on the present occasion.

Clause *agreed to.*

Clause 24 (Power to commute corporal punishment for imprisonment, &c.)

MR. O'CONNOR POWER said, the Amendment which he had on the Paper to this clause was to add at the end—

> "and, if the imprisonment exceeds eighty-four days, the solitary confinement shall not exceed seven days in any twenty-eight days of such imprisonment;"

but, for the reason just stated, he should not move it.

MR. PARNELL stated, that he had a series of Amendments which he had intended to move in this clause—first, as to the amount of solitary confinement; secondly, as to the number of lashes; thirdly, as to the intervals between the periods of solitary confinement; and, fourthly, the desirability of taking away from courts martial the power to inflict solitary confinement, &c. All these points had already been decided in divisions which had been taken, therefore he did not propose to press the points further.

Clause *agreed to.*

Clause 25 (Power to commute a sentence of cashiering) *agreed to.*

Clause 26 (Power of imprisonment by general, garrison, or district courts martial).

MAJOR NOLAN moved, in page 14, line 9, at end, to add—

> "And may sentence any non-commissioned officer to reduction to the ranks, or to be reduced to any inferior rank of non-commissioned officer, and, in case of reduction to the ranks, may further sentence him to any punishment to which a private soldier is liable, with the exception of corporal punishment."

At present, if a non-commissioned officer was brought before a court martial, he must be sentenced to reduction to the ranks, and it was not in the power of the court to award less. Now, this meant a great deal to a sergeant. Taking it from a money point of view alone, there was a great difference between 15*s.* 9*d.* and 7*s.*, which were the incomes of a sergeant and a private soldier. Therefore, it was an enormous blow to reduce a sergeant to the ranks; and it was such a heavy punishment, that he desired that courts martial should have power to mitigate it. Moreover, the position of a man's wife and family was wholly changed. The fact of several sergeants being reduced affected the position of every sergeant who remained in the regiment. Justice would, in many cases, be met by reducing a man to the rank of corporal. It was urged against his proposal that if a sergeant was reduced to a lower rank of non-commissioned officer, he would not have the respect of the privates; but this, he considered, was mere fancy; and he had known several strictly analogous cases, where a system precisely similar to what he proposed worked very well. Take the case of the Navy. In that branch of the Service there were two classes of non-commissioned officers — first-class petty officers and second-class petty officers, and it was a common thing to reduce a man from the first-class to the second-class. There was also a case in the Army in which, if a man was in the rank of sergeant-major, he might be reduced to the rank of sergeant. There was also the case in which a lance-sergeant or temporary sergeant had been reduced to the rank of corporal. That was the main part of his Amendment, which also provided that a court martial should not sentence a non-commissioned officer to be flogged. This further part of the Amendment, however, would not prevent a provost martial from flogging a non-commissioned officer in time of war. If this Amendment, with its two propositions, was accepted by the Secretary of State for War, he believed it would do a great deal to increase the position of non-commissioned officers. The right hon. Gentleman seemed to wish to make no alteration or Amendment in the Mutiny Bill, and he (Major Nolan) would not pronounce any opinion as to whether he was right or not in that course; but he would point out that there were ways of effecting what was proposed by this Amendment without any change being made in the Mutiny Act. This, however, could only be done by the Secretary of State for War, and the sole way in which he, as a private Member, could bring the matter forward was by moving this Amendment to the Mutiny Bill. If, therefore, the Secretary of State for War would promise to make the Amendment in another way in which he had power, this Amendment would be at once withdrawn.

Amendment proposed,

At the end of the Clause, to add the words "and may sentence any non-commissioned officer to reduction to the ranks, or to be reduced to any inferior rank of non-commissioned officer, and in case of reduction to the ranks may further sentence him to any punishment to which a private soldier is liable with the exception of corporal punishment."—(*Major Nolan.*)

Question proposed, "That those words be there inserted."

Mr. H. SAMUELSON, in supporting the Amendment, said, it was not a new proposal, it having been before the House on previous occasions. When the subject was last before them, the hon. and gallant Member for Brighton (General Shute) opposed the proposal, though he said that on more than one occasion he had, on the very day that a sergeant had been reduced to the ranks, promoted him to the rank of corporal. Now, he thought on that ground, they ought on the present occasion to claim the vote of the hon. and gallant General in favour of this Amendment. For why should they refuse to a court martial a discretion already possessed by a commanding officer? There was another hon. and gallant Member—the hon. Baronet the Member for Sunderland—(Sir Henry Havelock), who opposed this proposal on the ground that he desired to maintain the high position of the sergeants, and he therefore refused to give this discretion to the courts martial to inflict a less severe punishment than they had now the power to do. It seemed a strange argument to say that the present proposal would have the effect of lowering and not of raising the status of the sergeant. At the present moment, when one of the great desires was to obtain for the Army a high class of non-commissioned officers, it was well worthy of the consideration of the Secretary of State for War whether he could not improve their position in such a manner as that which was indicated by this Amendment. If the right hon. Gentleman did so, it would tend to render the Service more popular, and attract to its ranks a higher class of young men. Non-commissioned officers, although they did not bear the commission of Her Majesty, were at the same time, in one sense, officers, and it would raise their self-respect, maintain their status, and improve them altogether, if as regarded corporal punishment, they could be placed in a higher position than the ordinary privates of the Army. At all events, he felt there were cases in which sergeants ought not to be reduced to the ranks, but to a lower grade of the non-commissioned rank.

Major O'BEIRNE hoped the Amendment would be pressed, because there was, at present, great difficulty in obtaining non-commissioned officers in the Army, and this might tend to improve their position.

Colonel LOYD LINDSAY said, this was a matter which must depend upon the experience of military men, and as far as he knew, and from inquiry, he thought the predominant feeling amongst them was in favour of leaving matters as they were. It should be remembered that a non-commissioned officer was only tried before a court martial for a very serious offence, and it was thought wiser, if it was proved, to reduce him at once to the ranks, because of the serious character of the offence. When he had been reduced to the ranks, if the commanding officer thought he was a deserving man, it was in his power to re-instate him. Under these circumstances, he thought it would be wiser to leave this matter in the position it was.

Mr. PARNELL considered the Amendment was an extremely reasonable proposal, because, if the commanding officer alone had the power to re-instate the sergeant, his chances were excessively small. A man might be the wearer of the Victoria Cross, or some other medals for his bravery, and yet it was not in the power of a court martial, however much they might wish it, to mitigate this punishment of reduction to the ranks.

Major NOLAN said, it was very difficult for anyone to say decisively what the opinion of the officers of the Army was on this subject; but he had spoken to hundreds, and his own opinion was that there was a preponderance in favour of the first part of his Amendment, if there was not as regarded the question of corporal punishment.

Mr. O'CONNOR POWER was at a loss to know the reason why this provision was maintained. If this power was given to courts martial, he presumed they would not regard it as an instruction to inflict the lesser punishment, if the higher one was deserved. As the law stood, it was a policy of extremes, and a court martial was placed in the difficulty of not being able to adequately measure the punishment which ought to be inflicted for an offence. He trusted a division would be taken on the matter.

Question put.

The Committee *divided*:—Ayes 84; Noes 204: Majority 120.—(Div. List, No. 73.)

House *resumed*.

Committee report Progress; to sit again upon *Thursday* next.

The House suspended its Sitting at five minutes to Seven of the clock.

The House resumed its Sitting at nine of the clock.

Notice taken that 40 Members were not present; House counted, and 40 Members not being present—

House adjourned at five minutes after Nine o'clock.

HOUSE OF LORDS,

Wednesday, 27th March, 1878.

MINUTES.]—Public Bill—*Second Reading—Committee negatived — Third Reading* — Consolidated Fund (No. 2) *, and *passed*.

Their Lordships met;—

CONSOLIDATED FUND (NO. 2) BILL.

Read 2ª (according to order); Committee *negatived;* then Standing Orders Nos. XXXVII. and XXXVIII. *considered* (according to order), and *dispensed with:* Bill read 3ª, and *passed*.

House adjourned at Eleven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Wednesday, 27th March, 1878.

MINUTES.]—Select Committee—Poor Law Guardians, &c., Mr. Kavanagh and Mr. Briggs *added.*

Public Bills — *Second Reading* — Poor Law Guardians (Ireland) Election [17], *Previous Question* put, and *agreed to;* Tramways (Ireland) Acts Amendment [47], *debate adjourned;* Valuation * [35].

Third Reading—Local Government Provisional Orders (Bristol, &c.) * [112], and *passed.*

ORDERS OF THE DAY.

POOR LAW GUARDIANS (IRELAND) ELECTION BILL.

(*Mr. Gray, Mr. Downing, Mr. Redmond.*)

[BILL 17.] SECOND READING.

Order for Second Reading read.

Mr. GRAY, in rising to move that the Bill be now read a second time, said, that it was a very modest one. Even its strongest opponents could scarcely say that it was Communistic in its tendency, that it was calculated to interfere with the British Constitution, or to weaken the rights of property. In fact, it was a mere consequential amendment of the law, which should have been passed contemporaneously with, or immediately after, the Acts that established the ballot in Parliamentary and Municipal elections. The same reasons which produced that change which had been found so beneficial in the election both of Members of Parliament and members of corporations applied with very much more force to the election of Poor Law Guardians by ballot. However, as the change was not then effected, he thought it was incumbent on him to show, not merely that the Bill he proposed would introduce uniformity of system, but also that there were many grave abuses under the present system of electing Guardians which urgently demanded reform in themselves, and that this measure, in fact, stood on its own merits. In the rural districts in Ireland the abuses connected with the present system were very grave and very general. Since he had taken charge of this question, he had been almost inundated with letters of complaint from all parts of Ireland; and if he troubled the House by reading some of these, it would be to dispose beforehand of the assertion that the complaints were not general or of a serious nature. They resolved themselves chiefly into complaints of the exercise of undue influence, not so much by landlords or even by agents, as by the agents of agents'-bailiffs and others acting on behalf of landlords and agents, and exercising undue pressure on the occupiers to vote for particular candidates. There were many other complaints —such as tampering with the voting papers in various ways, and undue pressure by others than landlords. He would read a few extracts from many letters he had received. A correspondent from Killala, county Mayo, wrote—

> "Sir Roger Palmer, Bart., possesses a large amount of landed property in this county. His agent is a Mr. Francis O'Donnell. I do not know whether Sir Roger Palmer is aware of the interference of his agent in Poor Law elections; but I do know it is an indisputable fact that among his tenants in this parish a bailiff named Burne has been again and again with a letter from Mr. O'Donnell, requesting the tenants to vote for Protestant Guardians rather than Catholics."

Another correspondent, writing from Mill Street, county Cork, said—

> "Fifty per cent is charged for lime to those who voted for me over those who voted against me. Many others were prevented from voting for me by being told they would not get lime if they did so."

A gentleman writing from Ennistymon, county Clare, said truly—

> "The power of exercising intimidation and undue influence here prevents freedom of election by deterring independent candidates from offering themselves, the very independence of a candidate being a barrier to his selection by the party having the power, as at present, to elect complacent nominees."

A correspondent writing from Ballymote, county Sligo, said that from the day he was nominated to the day the voting papers were collected, a system of intimidation was set on foot by landlords, agents, and drivers. He had not intended to give the names of landlords in these cases, inasmuch as he was generally requested by his correspondents not to give their names for fear of the consequences they would suffer. It was by an accident that he had given one name; but he could quote another case by name, because the facts were public.

George H. Jackson, J.P., of Fortland, Crossmolina, county Mayo, was not content with exercising pressure on his tenants, but he went round to the tenantry himself, and insisted on taking the voting papers from them and filling them up himself. Fortunately some public-spirited persons took the matter up, and the election was not only quashed, but Mr. George H. Jackson was deprived of the commission of the peace. This pressure, exercised in all the rural districts in the election of Guardians, was not confined to landlords or their agents. He had received a letter that morning stating that there were 80 tenants on a certain common who had been compelled to leave their voting papers at the parish priest's house, some of them not knowing what they were doing at the time. They were called upon by the parish priest to attend at the National school to sign the papers, and they dare not refuse, but had to vote for his candidates. The writer added that they did not vote of their free will, and that the men elected did not do their duty. Therefore both sides exercised undue influence; and he sought by this Bill to protect the voters from such influence, no matter from what quarter it might come. He could occupy the House until 6 o'clock, if necessary, by citing cases of pressure put on by bailiffs, agents, landlords, shopkeepers to whom the voters might be in debt, and, in fact, by all classes who had influence over them to make them vote at their dictation, and abandon their own right of choice. However, he thought he had said enough to establish the fact that undue pressure was largely exercised in the rural districts at the Poor Law elections. In the cities the abuses were as bad, though of a different character. They consisted of the manipulation of elections by small cliques, political wire-pullers, or obscure clubs and associations. A landlord might at present give 12 proxy votes, and one agent might hold proxies for 20 landlords in every electoral division of a union, so that in one electoral division in Dublin one man might hold 240 votes. Take, for instance, the case of the South Dublin Union, where one gentleman was known for many years to regulate the majority of the elections for the union. He was known to hold proxies for all the electoral divisions, and it was calculated that he held 1,020 votes for the elections of that union. He had since received a very lucrative office, for he was now clerk of the Board of Guardians. The proxies were signed usually in blank, so that the landlord positively did not know for whom he was going to vote. He gave the power simply to a Party agent, who worked it for Party purposes, threatening the Guardians that if they did not vote according to his wishes he would put them out at the next election. So far, therefore, from inducing the landlords to exercise their personal influence and interest themselves in these elections, the system of proxy votes deprived them of all real power. They did not know for whom they voted, but gave the proxies for five years to an agent, who, as in the case of the South Dublin Union, might nominate more than half the Guardians. One of the abuses very common in the cities was the manufacture of votes. According to the present system any person having an interest in any property could vote out of it, no matter how minute that interest might be. He had known of three landlords voting out of a profit rent of 30*s*. in Townsend Street, Dublin. He could mention a case which, if the hon. Member for North Warwickshire (Mr. Newdegate) were present, would make his hair stand on end. Two hundred and fifty Sisters of Charity had a profit rent of £100 out of premises in Abbey Street which he himself occupied. He was not aware of that fact until a claim to vote at the election of Guardians was sent in on behalf of the 250 Sisters, and they undoubtedly could have voted, for the claim was perfectly valid; but the returning officer said that the large number of claims caused a "reasonable doubt," which enabled him to require evidence before admitting the claim, and the Sisters abandoned their claims rather than come up personally to prove their case. They were, however, entitled to vote; and not 250, but 2,500 might have voted out of that interest of £100 a-year, if they chose to take steps to establish their right. He did not propose to abolish that qualification; but he proposed that the power of giving proxies should be abolished, and that the individuals should be obliged to vote in person; and by that change the abuse would be abated, for persons with nominal interests would not come up, and fictitious interests could be detected.

The hon. and learned Member for the University of Dublin (Mr. Plunket) took an interest in a powerful organization known as the Constitutional Club. He understood that body did not receive with satisfaction the news that 250 nuns were about to vote out of these premises; and he was informed that the Constitutional Club had arranged that, should the claims of the nuns be asserted and allowed, they would take measures to have 1,000 votes in each electoral division out of a single house. There was nothing to prevent them doing that, and thus swamping the *bonâ fide* electors. He was sure the House would agree with him that that was not a system which ought to be perpetuated. There was an electoral ward in Dublin in which a contest was going on a few days ago, and some doubt existed whether the Liberal Party could carry the ward. One of the agents came to the members of the Committee and said—"If you are afraid of the ward I can easily do the duck." He was asked what he meant, and explained that it was the manufacture of fictitious votes by pretended or nominal interests in freehold property, and observed that "As all the others are doing it we may as well do it too." It was notorious that numbers of votes in cities were manufactured in this way. There was no real investigation into the proxy claims. No evidence was taken upon oath, and the whole system was objectionable and absurd. Another abuse, which was a very serious one, was that connected with the distribution and collection of voting papers. The papers were supposed to be distributed at the houses of the voters and collected two days afterwards. In Dublin—and he believed all through Ireland—they were distributed by the police. In Dublin the Government selected a Protestant and a Catholic policeman, the one to watch the other in the distribution and collection of the votes. That of itself, in the 19th century, was preposterous and outrageous. As a matter of fact, the voting papers were not properly distributed or taken up. Last week, in Dublin, a policeman handed to a man standing in the middle of Fleming's Lane nine proxy papers which he ought to have distributed. He (Mr. Gray) now held them in his hand. There they were. At the election in the district of Rathmines, 1,000 proxies were delivered at the wrong house, and it was only by accident the mistake was discovered, and it was only with the greatest difficulty that the person to whom they ought to have been delivered succeeded in getting them. If the door of a house were locked, and no one was in the house—which was not an unusual occurrence in the poorer districts—when the policeman went round to distribute the papers he would walk away, and the vote would be lost. If the door were locked when he called to collect the paper he would walk away, and the vote would be lost in that case also. A curious case occurred in Poolbeg Street last week. Two policemen called at a voter's house. The man had mislaid the papers, and occupied two or three minutes looking for them. He was known to be a Liberal, and to be voting for a Liberal, and the Conservative policeman said to his colleague—"Come away, we can't be losing our time here." "No," said the Liberal policeman, "we must give the man a moment or two to find the paper;" and there was actually a political altercation between the two policemen in the shop. These things might seem ridiculous; but they vitiated the whole system of election, and destroyed all confidence in it. If a voter, anxious that his vote should not be lost, walked with his voting paper to the Returning Officer, and delivered it to him personally, the vote would be lost. The vote must be given to the policeman. It might be said that men of ordinary intelligence would see the conditions on their voting papers, and would comply with them. But men of very high intelligence often made mistakes in these matters. Many Members knew a most able member of the Irish Bar, Mr. D. C. Heron, and that gentleman actually sent his paper at the late election to the Returning Officer by post, and thereby lost his vote. If a man handed his voting paper in the street to the policeman authorized to collect it, the vote was thereby lost. The whole system, in fact, was surrounded by difficulties of a very considerable kind, and the result was "confusion worse confounded" in every one of these contested elections. But if it was bad before the introduction of the ballot for Parliamentary and municipal elections, the confusion had increased since. In elections for Poor Law Guardians the voter had to mark the paper opposite the candidate's name with his initials; whereas in Parliamentary and municipal elections he marked the paper with a cross. The voters had now got the idea that the cross was the proper thing to sign to a voting paper; and 10 or 15 per cent of the votes for Guardians were now destroyed, simply by the putting of a cross in place of initials. The more persons became accustomed to the simplicity of the ballot the more likely were they to fall into this error, by which their votes would be lost. Another mischief, common both in cities and rural districts, was that the agents of political parties went round immediately after the voting papers were distributed, and by every means in their power tried to induce the voters to vote for the candidates in whom they were interested, or if they could not succeed in doing that they tried to get them to spoil their votes. A common thing was to induce a man to vote for a greater number of candidates than he was entitled to do. To such an extent had the spoiling of voting papers gone on, that in the city of Dublin a local Liberal Club had issued a notice warning voters not to be led into errors by persons pretending to be agents of the Liberal Party. A short time ago evidence was given in a discussion in that House as to the various ways in which interested parties endeavoured to induce voters to spoil ther votes. It appeared that it was a constant practice for an agent to go round and, under pretence of assisting the voter, induce him to put his initials opposite the names of the candidates in whom the agent was interested. Instances had occurred of Guardians doing this, and, in fact, of returning themselves by fraudulently tampering with the voting papers. It might be said that the persons guilty of such conduct could be brought into the Queen's Bench and punished, or that the Local Government Board could invalidate the election; but, after the contest was over, many candidates would not give themselves the trouble of a wearisome investigation which might very likely end in nothing; and certainly when the House had it in its power to do away with these evils by an easy and simple process, it was no answer to say that the errors of the system might be corrected by a troublesome, complicated, and expensive process. Another objection to the present system was that it promoted unnecessary contests by the element of uncertainty which it introduced into elections. A scrutiny would often throw over 30 or 40 per cent of the whole number of votes for non-payment of taxes and other causes, which could be just as easily ascertained before as after the election. If there was a complete register settled before the election one-half of the contests would not take place, because candidates would take the opportunity of estimating their strength, and would not enter into contests with a certainty of defeat before them; whereas, under the present system, it was impossible to estimate the real strength of the parties beforehand. The cost of the present system was very heavy. It was estimated that the present election in Dublin would cost the ratepayers upwards of £500. The municipal elections, on the other hand, only cost £50 or £60. They were finished in one day, without any confusion and without a possibility of intimidation, bribery, or corruption of any kind; and he now simply proposed to assimilate the election of Poor Law Guardians to the municipal elections, which were conducted with so much simplicity and economy. The present system involved an incidental defect of a serious nature. First-class men would not go through the trouble and annoyance of these Poor Law elections; and the result was that inferior men, who had their own purposes to serve, were returned. The tendency of recent legislation had been to increase more and more the duties of Poor Law Guardians, and to throw upon them new functions which in 1838, when the Poor Law was introduced into Ireland, were never contemplated. The Boards of Guardians, as the sanitary authorities of their districts, were invested by the Public Health Act with the most autocratic power. They had power to enter a man's house if necessary, to interfere with his domestic privacy, to burn his clothes, to tear up his drains, and to pull his house to pieces and remodel it to a considerable extent. The Act which would probably be passed for Ireland this Session gave increased powers to the Irish Boards of Guardians—no doubt necessary for the preservation of the public health; but the persons who were to be subjected to such interference with their affairs naturally desired to have a free voice in the election of those by whom such extensive powers were to be exercised. Now, the occupier could not give a proxy vote; and he proposed by this Bill that if a landlord or owner took sufficient interest in the election to wish to vote, he should do so in his own proper person, and should not have the power to give his vote in the towns to some party agent, and in the country to his own agent, perhaps to be exercised improperly, and not as he would have wished. Within the last few years another duty of a very onerous and delicate nature had been imposed on the Boards of Guardians. They had been empowered to levy an education rate. Very few of the Boards of Guardians had availed themselves of that power; and by the answer given the other day by the right hon. Gentleman the Chief Secretary for Ireland to the hon. and learned Member for Kildare (Mr. Meldon), he found that the number who had availed themselves of it, and became contributory under the Act, was diminishing year by year. It could not be expected that the Boards of Guardians in Ireland would become satisfactory mediums for the levying of money for educational purposes, unless they commanded the full confidence of the people; and it was totally impossible, when they had complaints from North, South, East, and West, of all kinds of intimidation and undue influence, from all classes of persons, that the Boards of Guardians could command public confidence under the present system. The enormous powers vested in the Guardians under the Sanitary Acts, and the new powers recently entrusted to them for the purposes of National education, had changed the character of these Boards to a very great extent, and urgently demanded a change in the mode of election that would place them above suspicion, and make it self-evident to every person that they represented the free and unbiased choice of the electors. His Bill was a very simple one, indeed. It proposed to declare that all elections for Boards of Guardians for the future should be by ballot. It proposed to leave the carrying out of the necessary regulations to the Local Government Board—who at present framed all the rules and regulations for the elections of Boards of Guardians under the present open voting system—and it proposed to declare that every elector should vote in person, and that proxies should be abolished. It was unnecessary to go into further details, for the Bill was simplicity itself. If there were any Amendments required they could easily be introduced in Committee; but, as it stood, it would work perfectly well. It was not proposed to interfere with the property votes. At present a landlord could have 18 votes for any electoral division, and the Bill did not propose to take them from him. If he was entitled to 18 votes he would receive 18 voting papers, and could cast them all for one candidate, or divide them as he pleased. The only thing he proposed was that the proxy should be taken away from him, and that he should vote in his own proper person. The change would restore public confidence in the Guardians, it would reduce the expenses, and it would certainly not interfere with the rights of property. The machinery of the Bill was somewhat similar to that of the Bill of the hon. Member for Carlow (Mr. Bruen) for the reform of municipal corporations; and, therefore, he hoped for the support of the hon. Gentleman on the present occasion. He was not aware of a single objection that could be urged to this simple and almost self-evident proposal, except that since he had introduced this Bill a Select Committee had been appointed to investigate the general subject. He supposed if any opposition were offered to the Bill it would be based on the grounds that this subject was under the consideration of a Select Committee, and, therefore, the House should not take upon itself to decide the matter. But if that was the objection urged, he should be willing, if the Bill was read a second time, that it should be referred to the Select Committee forthwith. There were two important Irish measures—one now before the House, and one with respect to which the Chief Secretary had held out the probable hope that if the Irish Members were good boys he might introduce at the end of the Session. One was the Grand Jury Bill, and the other was the Bill on Intermediate Education. Now, in 1868—10 years ago—a Select Committee reported on one of these two subjects; and in 1858—20 years ago—on the other, without any legislation yet resulting; and, therefore, the proposal that he should drop his Bill, and let it go to a Select Committee, really meant that if he should consent to let the matter stand it was likely that the Government, in 1888, would introduce a Bill to remedy the evils of which he complained. He pleaded urgency on behalf of his measure. It might do very well to leave over to 1888 the amendment of the law in England, where all that that was complained of was a certain amount of inconvenience; where the differences between one class of the community and the other were not of a nature to provoke any warm feelings; and where the manipulation of votes was not carried on to any very great extent; but in Ireland, where both political and religious feeling ran high, the abuse, that amounted to a mere inconvenience and anomaly in England, amounted to intimidation of the grossest character. Therefore, in Ireland the reform was urgently demanded; and he would not be content with the hope of having it carried out in 10 years' time, which experience had shown was the shortest time in which they could expect to reap the fruits of a Select Committee. Therefore, there being no great political principle involved in this matter—no invasion of those rights to which Gentlemen opposite were so warmly attached—he asked the House to allow this Bill to pass. It should have been passed simultaneously with the Bill establishing the ballot for Parliamentary and municipal elections; and he hoped it would not be endeavoured to shelve it for an indefinite period by referring it to a Select Committee. The reform was so self-evidently necessary, that the House ought to pass it at once without reference to a Committee. He was not going to say that they would pacify the discontent in Ireland by passing this Bill; but of all the minor measures that had been introduced, none would give greater satisfaction than the abolition of so widespread and universally-acknowledged an abuse as that which existed in the election of Poor Law Guardians. Therefore, he asked the House to pass the second reading of the Bill; and, if they did so, he should agree that it be submitted to the Select Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gray.*)

Mr. PLUNKET said, that when a Bill of this character was brought forward last year by the right hon. and learned Gentleman the Member for Clare (Sir Colman O'Loghlen)—whose familiar form they all missed, and whose loss they all regretted—he (Mr. Plunket) was one of those who felt it his duty to vote against the second reading of the Bill. He did not now rise to propose, in the ordinary form, the rejection of this measure, and for this reason—that the subject-matter of the Bill was practically referred to a Committee—an influentially constituted Committee—which would very shortly commence its labours upstairs. He meant the Committee appointed on the Motion of the hon. Member for Oldham (Mr. Hibbert), and of which he believed the hon. Member for Tipperary (Mr. Gray) was a Member. The hon. Member said that was no reason for not reading the Bill a second time, because if the Bill was read a second time, he was quite content to refer it to a Committee sitting upstairs. In the next breath, he assured the House it was one of those questions that could not wait until a Select Committee had reported upon it. The hon. Member would admit there was some little inconsistency in the two statements. He (Mr. Plunket) did not desire that the consideration of this question should be postponed till 1888, or for any other distant period; but he desired that the complaints which the hon. Gentleman had mentioned should be fairly investigated; that it should be ascertained how far those charges were true; and that, supposing there were such grievances as he alleged there were under the present system, a Committee should come to some conclusion as to the best way of remedying those grievances. The hon. Gentleman had brought forward a number of cases in which a grievance was felt, and in some instances he had referred to them by name. He (Mr. Plunket) was not going to defend the people who were alleged to have acted wrongfully; but he would say it was exceedingly inconvenient that a matter of this kind should be discussed in this way. It was right that the persons against whom charges were made should have an opportunity of explaining themselves; that the Committee should have an opportunity of considering how far those charges were true—whether they were extravagant or otherwise; and that they should make recommendations to the

House, on which it might proceed. He did not think, under the circumstances, that their Wednesday afternoon had been very usefully or properly occupied in discussing a question of this kind, which, after it had been discussed here, would have to be discussed upstairs, and, when discussed upstairs, would have to be reported upon, and legislated upon in this House. He was not going to move the rejection of the Bill; but he would submit to the House the Motion of the Previous Question, as he thought that was a fair and reasonable way of dealing with the proposal brought forward under existing circumstances. He confessed that at present he was himself entirely opposed to the proposal, but then he was open to conviction. When the mode of election for Parliamentary and municipal purposes was under consideration, the election of Poor Law Guardians was purposely and advisedly left out of the Bill, and now it was proposed to depart summarily from the principle which was then adopted. He knew there were some Conservatives in favour of the change, and some against it. He did not desire to make it a class or Party question; but he considered that when the principle of the measure was referred to the deliberation of a Select Committee, they should not in the meantime endeavour to adopt finally a certain course in the matter. If the hon. Member for Tipperary insisted on going to a division, he must vote against the Bill. He was not desirous of prolonging the discussion; but he must deal with a few of the points which had been raised. The hon. Member had read to them accounts of the terrible wrongs suffered under the present system. Why might not those persons be brought before the Committee? Why not even bring the terrible ecclesiastical person, whether an Archbishop or a curate, forward, and subject him to examination? The hon. Member for Tipperary had, however, given one real case of interference with a voter. He had ranged the history of Ireland since 1838, and he had brought up but one real case of a grievance; but the hon. Member had told the House in the same breath that the ordinary means were adopted, and that the election was quashed. This only showed that the ordinary means, when adopted, sufficed. He did not think it was a convenient course, when a question was referred to a Select Committee, that the matter should be raised in the House itself, and an attempt made to obtain an expression of opinion by quoting a number of anonymous cases bearing on the question at issue. He thought that it would be very difficult indeed to apply the ballot to plural voting; and with regard to women who had the right of voting, he thought it would not be desirable to subject them to the inconvenience of going to the polling-places to record their votes. He contended, further, in reference to the matter of expense, that the adoption of the ballot in regard to these elections would entail greater outlay than was incurred under the present system. The proxy system, of which the hon. Member had complained, acted very conveniently, inasmuch as it enabled property to be represented in cases where, if proxy voting was abolished, it would be quite impossible for a real property owner to record his vote at present. The system, and machinery, and principle of Poor Law elections in England and Ireland were really the same; and a movement such as that made by the hon. Member for Tipperary and his Friends also existed in England. The hon. Member for Oldham, who always paid great attention to these matters, had pointed out the grievances under the present system of Poor Law election in a business-like manner, instead of coming down here with a number of alleged cases of intimidation, which they had no means of proving or disproving. However, they had a Committee of Inquiry into the whole thing, and upon that Committee which had been elected, the hon. Members for Tipperary (Mr. Gray), Mayo (Mr. O'Connor Power), and Carlow (Mr. Kavanagh), had been chosen; that being the case, there could be no doubt that the Irish part of the question would also be referred to the Committee. What were the Instructions given to the Committee appointed on this subject? They were that inquiry should be made—

> "Into the system under which Guardians of the poor and members of Local Boards in England and Ireland, and members of Parochial Boards in Scotland are at present elected, and to report whether it is desirable to make any, and, if so, what change in such system; and also whether it is desirable to extend the term of office for which Guardians of the poor and members of Parochial Boards are now elected."

This included the Bill now before the House. It might be said that the question of voting by ballot was not expressly included; but he could say that it was the intention of the head of the Local Government Board to give every facility for the consideration of this question. He submitted to the House that it was only reasonable and right that the question should not be prejudged by any vote taken on this Bill; and, in the circumstances, he thought the common sense and the feeling of the House would go with him in moving, which he did, the Previous Question.

Previous Question moved,—(*Mr. Plunket.*)

MR. O'SHAUGHNESSY said, this Bill aroused great interest in Ireland not only with regard to the administration of the Poor Law, but with regard to sanitary, land, and other considerations. But there was one interest beyond these which was paramount. They had before the House a Bill proposing to regulate county government in Ireland, and in the body which was to have charge of the government of the counties the only element which was alleged by the Government to be of a popular character was composed of the elected Guardians in the several Unions. Now, if the only popular source of representation on the Grand Jury Boards was to be derived from the Boards of Guardians as at present elected, with all the scandals and intrigues which surround them, then the Grand Jury Bill would be more unacceptable than it was at present. It had been said, why were not cases of undue influence brought to the Local Government Board? The principle upon which Parliament had proceeded hitherto was not to wait until such offences were committed, and then punish offenders, but to bring about a state of things to make such offences impossible. The case of Mr. Jackson, however, had been exposed. But there were hundreds of such cases which were never exposed; and if the demand rested only on that case, they were entitled to a change in a law which allowed such a scandal. The result of the present system was that they had on the Boards of Guardians a very imperfect popular representation, and that what used to be called "the ascendency interest" was paramount on the Boards even in Catholic counties, where every appointment was given to Protestants. He was sorry to have to refer to this, but it was necessary to do so in order to point out the evils of the system. The disagreeable results of the proxy vote must be well known to Irish Members, and the Bill would sweep these away, and thus get rid of the inducements to introduce a political spirit and political rancour into the elections. He contended that there would be no difficulty of any consequence in applying the ballot to plural voting—it would merely be the depositing of 20 papers instead of one. And, with regard to the reference to the votes of women, he pointed out that at present women had no difficulty in recording their votes at municipal elections. He asked the Irish Conservative Members on what principle they refused the protection of the ballot to Poor Law Guardians' elections? If they continued to oppose this principle, he must conclude that they wished to maintain an unjust and ungracious ascendency which they at present possessed on the Boards of Guardians. He hoped the House would not sanction the ascendency by refusing the moderate demands made by the Bill.

MR. MACARTNEY, in opposing the Bill, said, the fact that the Bill had been brought in at a time when a Select Committee of the House was inquiring into the whole subject was rather unusual; but that point had been so ably urged by the hon. and learned Member for the University of Dublin (Mr. Plunket), that he would not say more upon it; but there was a point which he would urge on the attention of the House, and that was the inexpediency of altering the mode of electing the Poor Law Guardians in Ireland until they were prepared to take the same course in England and Scotland. He admitted that the Bill would facilitate the voting by occupiers, but it would practically disfranchise many owners; because, while occupiers would have the polling-places brought home to their doors, owners, having property in different and distant counties, might be put to the expense and inconvenience of long journeys if they desired to exercise their right of voting. Then, again, great expense would necessarily be incurred in the construction of polling-booths in, perhaps, 20 or 25 different parts of a

Union, and in the appointment of persons to take the votes, and the candidates would have to bear the expense of being represented by agents. The political and religious dissensions which sometimes occurred would not be removed by the Bill. The advantages to be derived by a measure of this kind were not so great as to warrant a sudden change in the law. He did not object to the vote by ballot if the owners were allowed to retain their plural vote; but he advocated uniform legislation for all parts of the United Kingdom in accordance with the recommendations which the Committee now sitting might make. He believed that if the Bill became law, the ratepayers would very soon be extremely anxious to return to the old system. Pending the decision of the Select Committee, the House ought not to be asked to read the Bill a second time.

Mr. M'CARTHY DOWNING said, he could not understand how any hon. Member could argue that the ballot should be withheld from the voters in elections for Guardians, when it was admitted to be necessary in elections for town councillors and town commissioners. The election of a Poor Law Guardian was often as hotly-contested and gave rise to as much ill-feeling and excitement as did the election of a Member of that House. It was, therefore, as necessary that some protection should be given to the voter. The importance of the position of Guardian would be vastly increased if the Grand Jury Bill became law; and, for his part, he believed if the Grand Jury Bill did pass in its present shape it would not in the slightest degree amend the present system, which had been so universally condemned. Unless the election by ballot was conceded, the Grand Jury Bill should be opposed as it now stood. The hon. and learned Member (Mr. Plunket) was mistaken in his views with regard to the ballot in municipal elections. In the Bill for introducing the ballot for such elections there was no provision for the election of town commissioners or Poor Law Guardians, and he (Mr. M'Carthy Downing) introduced an Amendment to secure the ballot in those cases. It was at the request of the then Chief Secretary for Ireland, that the portion of the Amendment relative to the Guardians was withdrawn, rather than risk the loss of the Bill. He thought the present system of election of Poor Law Guardians in Ireland was one which ought not to be continued. With respect to the objection on the score of expense, it would not be necessary to construct polling-booths, as schoolhouses and courthouses could be used for the purposes of the elections. Then, as to the same law being applied to the three Kingdoms—they should remember that the protection of the ballot might be necessary in Ireland, while the same necessity might not exist in England or Scotland. Under the present system, which had been all but universally condemned, the votes of resident occupiers had in many cases been swamped by the proxies of voters who resided at a distance—sometimes even in another country. He thought it would be a wise thing of his hon. Friend who had charge of the Bill to go to a division.

Mr. BRUEN said, by this Bill they were asked to discuss, whether the system of the ballot should be extended to the election of Poor Law Guardians in Ireland, whilst, at the same time, the House had, by a unanimous decision, consented to refer that very question to the consideration of a Select Committee. That being so, he must say that he thought it was simply a waste of time to discuss this measure. He thought there ought to be a Standing Order to prevent subjects being dealt with which the House had already referred to a Select Committee. He thought it was very scant courtesy to a Select Committee for the House to take into consideration a subject which only a few days previously had been referred to the Committee. Hon. Members who opposed the Bill said they did so because such and such things took place. If those who opposed the Bill did not enter into a discussion now, but merely asked the House to defer discussing the measure, they would be assailed by the imputation that they had no arguments to advance against it. They were asked to read the Bill a second time on the allegation that undue influence was exercised by owners of property in respect of their tenants. What proof had they that such was the case? Virtually, they were called upon first to strike and then to hear. If the hon. Member for Tipperary (Mr. Gray) was in a position to make good his assertion as to undue influence, why did he not do so before the Committee upstairs, of which he was a Member? He was prepared to meet the general charge with a general denial. Such abuses as those mentioned by the hon. Member were offences against the existing law, and would not be allowed to be committed without punishment. The House was asked to legislate upon assumed facts, which were not proved, and he could not help protesting against such a measure being brought forward. The question of the number of polling-places had already been answered, and therefore he need not deal with it. The Boards of Guardians were composed of two elements—the elected and the *ex-officio* members, and the elected members fairly represented the views of the popular party; and the argument that they were elected by means of undue influence therefore fell to the ground. He was sorry that it was a fact that a considerable amount of party feeling was shown at these elections; but he denied that it existed to the extent which had been alleged, and thought there was no necessity for any such change as that proposed by the Bill. He complained of the vagueness of the charges which the hon. Member for Cork County (Mr. M'Carthy Downing) had brought against certain gentlemen, which rendered it impossible to refute them. One of the greatest objections, in his opinion, to the proposal embodied in the Bill, was that it would, if carried, entail a large disfranchisement of voters, especially those who at present were enjoying the privilege of voting by proxy. He hoped the House would not inflict upon the Committee upstairs, by whom this matter was being inquired into, the indignity of prejudging the question which had been submitted to them.

Mr. A. MOORE said, the question had assumed a more important aspect since the Government had laid on the Table their scheme for the reform of the Irish Grand Jury Laws, in which it was proposed to give Poor Law Guardians so large an influence in county government. He thought, if it was a waste of time to discuss this Bill, it would be a much greater waste of time to discuss the Grand Jury Laws measure when it was laid on the Table, unless some such measure as the present were adopted. He considered the object a good one, and wished to see the ballot extended to the election of dispensary doctors, in reference to whose appointments all sorts of improper influences were brought to bear. The Bill was very much desired in Ireland, and therefore he trusted that the second reading would be pressed. He should give it his support.

Mr. KAVANAGH thought the proposal of the hon. and learned Member for Dublin University (Mr. Plunket), that the House should refrain from pronouncing any opinion on this matter until the Select Committee, who were inquiring into it, had made their Report, was so reasonable that it ought to be acceded to. He was connected with three Poor Law Unions—Carlow, New Ross, and Castlecomer—and in neither of them had he ever directly or indirectly taken the slightest part in the election of Poor Law Guardians. As far as his knowledge of the electoral divisions of those Unions was concerned, he did not believe the statements as to undue influence were borne out. If the Bill was read a second time, its promoters could go before the Select Committee with a distinct advantage, inasmuch as they could say—"You have nothing to do with the question of the ballot, for the principle has been affirmed by the House of Commons."

Major NOLAN trusted the Bill would be pressed to a division, because it would be most important to Ireland. Nine-tenths of the constituents of a great many hon. Members were in favour of this Bill. The hon. and learned Gentleman who had moved the rejection of the Bill did so in a very unusual manner—namely, by moving the Previous Question. It seemed to be the policy of those who opposed the Bill to attempt to hide their reasons; whilst, on the other hand, those who supported it were anxious to explain to Ireland why they did so. It had been said that it was insulting the Committee upstairs to read this Bill a second time, but he considered that to be a most frivolous objection. The stock argument had also been raised that the machinery of the Bill was objectionable, but the supporters of the measure were willing to consider any Amendment in that respect. If hon. Members opposite —who, he admitted, represented the owners—insisted upon it, he, personally, was willing to exempt the landlords from the operation of the ballot. The anxiety of hon. Members on his side of the House was for the tenants, and in their interests it was desirable that the ballot should be established. The last speaker had told them that he had never controlled the votes of his tenants. This might be the case—although the votes had been controlled in his name by persons acting in his interest, although he might not be cognisant of the fact. In his own county—Galway—it was notorious that the landlords had exercised influence over their tenants at Parliamentary elections. It was true that generally if men wished to elect a particular Member of Parliament, or a particular Guardian without ballot, they were often able to do it. In some cases, however, they would act just as requested, in order to prevent possible after-consequences, and this could not be exercised if the Ballot Bill was passed. He complained that the hon. and learned Member for the University of Dublin, instead of taking the bold course of moving the rejection of the Bill, sought to defeat it by the indirect method of moving the Previous Question. In conclusion, he was quite sure the Bill, if passed, would give the greatest possible satisfaction in Ireland; and it was a duty they owed their constituents, as well as themselves, to register their votes in its favour, so that the people of Ireland, who were quite sharp enough, should appreciate their efforts for them.

Mr. ASSHETON contended that the elections conducted under the provisions of this Bill would lead to a great increase of expenditure; because it was imperative that each voter should give a personal vote, and this would necessitate various polling-places, and would lead to partial disenfranchisement. His main objection, however, was, that the questions connected with Poor Law elections in England and Ireland were under the consideration of a Committee.

Mr. PARNELL said, it often happened in the House that when they were trying to obtain a settlement of pressing Irish matters, English Gentlemen came forward and interfered, asking that these questions should be postponed indefinitely, because they feared such a settlement in Ireland would mean following the same principle in England. And, although they were much indebted to the hon. Member for Clitheroe for his views on the subject, yet they felt that they themselves, as they wore the shoe, could know better than he did whether it pinched. It was very fitting that the two hon. Members for Carlow (Mr. Bruen and Mr. Kavanagh) should oppose the Bill, for he believed there was no Union where the effects of the evil administration of the Poor Laws and the habits of the country gentlemen in asserting for themselves the right to control the appointment of officers existed so much as in the Union of Carlow, with which the hon. junior Member for Carlow (Mr. Kavanagh) was connected, and in which the bulk of his property was situated. The junior Member for the county of Carlow had informed them that he had never taken any interest in the election of Poor Law Guardians, and, of course, they were bound to believe him; but had he never taken any interest in the election of officers in connection with the Boards of Guardians? If he had not, he must present a singular contrast to the other landed gentlemen in his county. He had been informed on good authority that in the Union of Carlow there was only one Catholic official, and he was a medical practitioner. The hon. Member had painted the condition of affairs in his county in glowing colours to the House. Well, out of the people of his district five-sixths were Catholics, and yet there was only one Catholic official paid by the Board of Guardians. The senior Member for Carlow (Mr. Bruen) had, he thought, taken rather a lively interest in the election of officials for the Boards of Guardians. He (Mr. Parnell) had been told on a recent occasion, when the appointment of a medical officer for the Carlow Union was vacant, the senior Member for Carlow had travelled a long distance, at great personal inconvenience, in order to support and secure the election of a gentleman for the post who already held six official appointments in the county Carlow. Not satisfied with this, he used all his great influence to secure the return of that gentleman as medical officer for the Union in which his property was situated. The question they were advocating was far more important and pressing to them than it was to the people of England, because the circumstances connected with these elections in Ireland were altogether different from those in England. In the Union of Baltinglass there was a contested election of Poor Law Guardians, in which the farmers used considerable exertions to return candidates according to their views, whilst, on the other hand, the landlords of these three large properties used every possible effort to prevent their return, and to support others of their own selection. He forgot how the contest ended; but, in the end, the tenants who had voted in opposition to the landlords were deprived of the right of cutting turf on their property, and had now to go nine miles for their supply of fuel. Ireland was not a coal country, and, consequently, this was a great hardship. It was a common thing to tell a tenant and his family in Ireland—"You will have cold noses this winter."

MR. GREENE said, he was opposed to the ballot on principle, and, therefore, he was opposed to the present Bill. The result of the last election had shown that the Conservative Party were not guilty of the intimidation and coercion of which they had been accused; and, with regard to bribery, the greater number of the men who had been unseated on that account were Liberals. He really could not understand why hon. Members were anxious to introduce the ballot at the election of Guardians. In England, considerable difficulty was experienced in finding competent men to undertake the troublesome duty of a Guardian; and, if the elections were carried on by ballot in Ireland, he should think it would have the effect of preventing a good class of candidates from coming forward. The expenses of election would be increased if this Bill passed. If he should be alive when the time came for deciding whether vote by ballot in the case of the election of Members of Parliament should be continued or not, he would give his vote against the ballot, and he would vote against this Bill. There might come a time when it would be proposed that the vote of the House of Commons should be taken by ballot, but he would never be a supporter of such a proposal. He thought that the only reason why the Bill had been brought on while the subject was under a Committee's consideration was to give Irish Members an opportunity of "airing" their views and raising a cry in anticipation of the General Election, which was possibly not far distant. He thought it, however, a very pleasant way of spending a Wednesday to discuss hopeless Irish schemes, for they prevented other objectionable legislation which had a better chance of passing from being brought forward. There had been a great deal of talk about Irish grievances, but he never heard an Irish grievance well established. He would recommend the people of Ireland to put their own shoulders to the wheel, instead of asking others to remedy their grievances. Ireland had been blessed more than she deserved. They had had of late years in Ireland a better price for their cattle and produce of every kind than England, and had been exempt from many of the ills which the latter had suffered, and yet the Irish Members were not content, but were continually coming to that House and asking them to remedy some grievance which he confessed he had never been able to find out. But for agitation, Ireland would be a prosperous and happy country. If you told some people that in their own efforts lay the remedy of what they complained of, they would tell you to go and teach your grandmother to suck eggs; but if you told them they were a downtrodden people, they would cheer you.

MR. FAY, in supporting the second reading of the Bill, urged that, if the principle were to be adopted that the existence of a Committee should stop a Bill, it would be in the power of the Chief Secretary for Ireland to refer all Irish questions to a grand Committee which would sit until the next General Election, and thus stop all discussion on Irish matters. He thought that if the whole matter were to be investigated, and brought before the public, as it had now been, the Committee now sitting would find a great many advantages. The Committee had not the open discussion nor opportunity of placing before the country the facts elicited in a debate such as this. The Reports of its proceedings were limited, and his own experience was that in those Papers Parliamentary interested, the Reports were not only short Reports and feeble in their character, but in most instances entirely misrepresented the evidence given. The result of this debate would probably be to elicit public opinion in Ireland through the medium of letters in the Press, and the other ways which would help rather than retard the Committee now sitting.

Mr. O'CLERY said, this question ought not to be cast out in the same manner as that in which so many questions which his hon. Friends had introduced at the beginning of the Session—because, if the Irish people understood that any measure introduced into the House on their behalf would invariably be cast out by a majority, they would naturally come to the conclusion that there was no such thing as justice to Ireland to be obtained in this Parliament. If they stifled all attempts at redress of the undoubted grievances of Ireland, they must prepare for the consequences of having a whole people alienated from them. The Bill merited the serious attention of the House, and he sincerely hoped that in the event of its being cast out, that the minority would be of such a character as would give some hope to his hon. Friend that in another effort he would succeed in its being passed by the House. If they continually, by overwhelming majorities, refused to recognize the grievances of Ireland, they must submit to the alternative of engendering want of confidence in all legislation in the minds of the Irish people. The Bill, therefore, wanted serious consideration; and, even if it were rejected, he hoped the minority would be sufficient not to discourage the people of Ireland in appealing to the House.

Mr. J. LOWTHER said, he was not one of those who would grudge the time of the House for the consideration of a question to be brought forward by Members from Ireland. Something had been said from time to time about Wednesdays at present being devoted to the consideration of Irish questions. He thought these Wednesdays were quite an improvement on what used to be the general practice when he first entered Parliament—namely, that of having Ecclesiastical Wednesdays. With regard to this Bill, he thought the hon. Member who had introduced it would do well if he would not ask the House to read it a second time. The hon. and gallant Member for Galway (Major Nolan) took exception to the course pursued by the hon. and learned Member for the University of Dublin (Mr. Plunket) in moving the Previous Question instead of the rejection of the Bill. The answer was clear. They did not move the rejection of the Bill because they did not desire to do anything to prejudice a question which had been specifically committed to the consideration of a Select Committee. A Committee had been appointed, on the Motion of the hon. Member for Oldham (Mr. Hibbert), to inquire into the system under which Guardians of the poor in England, Scotland, and Ireland were at present elected, and to report whether it was desirable to make any, and, if so, what, changes in the system. These were most comprehensive terms, and included every specific point with which the present Bill proposed to deal. He had occasion the other day to urge this same objection with respect to another Bill. On that occasion, Her Majesty's Government was not supported by the right hon. Gentlemen opposite on the front bench, as he hoped they would be on the present occasion. He appealed to the House to adhere to the principle which had always been hitherto acted upon, and not to prejudge a question which had been distinctly referred to a Select Committee. One hon. Gentleman had said, with singular candour, that he wished to move an Instruction to the Committee. Against that, however, he protested. The House, having referred the matter to a Committee, had never interfered with it afterwards by tying its hands by Instructions. The hon. Gentleman who introduced the Bill proposed that vote by ballot should be adopted in the election of Guardians. With regard to vote by ballot, the House was aware that that system had been adopted for a very limited period. With regard to the representation of the people, it would ill-become him to offer an opinion as to what the decision of Parliament should be when the time arrived for reconsidering the decision at which it arrived a few years ago on that subject. Of course, it would be competent for Parliament to decline to renew the system of vote by ballot. He would not vote for that system when it was adopted; but, at any rate, up to the present time, the net result had not been altogether unsatisfactory. At any rate, he could approach the consideration of this subject without any bias. Hon. Gentlemen had assumed as a necessary preliminary to a vote by ballot the abolition of the system of proxies. He did not think that the two were inconsistent. As to the system of plurality of voting, he thought it was by far the best. He thought that plurality of voting was the best known system for affording a fair representation of property; and, as he understood the Bill, it left that principle intact. With regard to a system of voting papers, combined with the ballot, a plan of that kind had on a previous occasion been submitted to the House by the hon. Member for Carlow. That plan, if he recollected rightly, had for its main feature the depositing by the voter of his vote, sealed up, before a justice of the peace. Canvassing, the alleged tampering with votes, and other evils would be obviated by that system. He did not say that in the case of the election of Poor Law Guardians they could invoke the assistance of a justice of the peace for the protection of every voter; but he only mentioned that suggestion as showing that it might be possible to combine a system of voting papers with the ballot. The hon. Member for Limerick (Mr. O'Shaughnessy) had, with great courage, undertaken to speak on behalf of all the women of Ireland in that matter; but, in soliciting their suffrages, had the hon. Gentleman fairly placed before that sex the very great disadvantage under which the Bill would put them? Now, a woman was entitled to vote by proxy or by voting papers, without being subject to the personal annoyance incident to the most strict system of the ballot; and, therefore, it was very doubtful whether the fair sex would be disposed to endorse the present proposal. The hon. Member had also described the existing mode of voting as tending to perpetuate a system of ascendency; but by ascendency he seemed to mean the representation of property—a matter which must not be overlooked in considering the various interests involved in that question. Again, that Bill would necessitate a very large increase in the number of polling places throughout Ireland which would entail upon the ratepayers an expense that they might not like to bear. Some hon. Gentlemen made very light of the difficulty of providing presiding officers, and of the expense to be incurred under the proposed system. He did not know how officials were to be provided, because in Parliamentary and municipal elections great difficulty was felt in procuring a sufficient number of reliable officers to conduct them. He thought he could point out other objections to the details of the Bill; but he would content himself with reminding the House that many of the so-called grievances which had been brought before them by the hon. and gallant Member for Galway and others, did not apply to the election of Poor Law Guardians—as to which they had had very little proof of any general abuse—but they applied rather to Parliamentary Elections. The House of Commons was thus virtually called upon to alter the mode of electing Poor Law Guardians on grounds which applied generally, if not altogether, to other elections.

Major NOLAN said, he had referred to what occurred before the adoption of the ballot at Parliamentary Elections.

Mr. J. LOWTHER: But even if he assumed—which he was not justified in doing—that all those allegations were true, he would urge that the proper course was to lay them before the Select Committee. The hon. Member for Meath had said he would bring forward overwhelming testimony before that Committee. [Mr. Parnell: If it were necessary.] Surely it was unfair to ask the House to decide a question in the absence of what the promoters of the Bill styled the overwhelming testimony bearing upon it? In conclusion, he appealed to the House to adhere in this case to its almost invariable practice, when a subject had been specifically referred to a Select Committee, of not removing the subject from the consideration of the Committee and not embarrassing it by expressing an opinion on an important part of the case submitted to it.

Mr. W. E. FORSTER said, he had been quite unable to discover from the speech of the Chief Secretary for Ireland whether he was or was not in favour of the ballot at elections for Guardians of the poor. That right hon. Gentleman seemed to think it would be a great improvement in the present system of the ballot to have a combination of the system of voting papers with it. For himself, he should look with great doubt on such an alteration of either the Parliamentary or the municipal ballot as was involved in having a ballot by votes being given in the presence of a justice of the peace. He questioned very much whether they could have a proper security for secrecy if they converted every justice of the peace into a Returning Officer. It was for the promoters of the present

Bill to consider whether the fact that a Committee had been appointed which would be presided over by the hon. Member for Oldham (Mr. Hibbert) was a reason why they should or should not press the Bill; but if they went to a division he would vote with them, because the question at issue was one of principle—namely, whether the election of Guardians should be carried on by ballot instead of by voting papers. The present system of voting papers was, in his opinion, about as bad as could be invented, and the ballot would be much better. But the Chief Secretary for Ireland told them they were now almost precluded from voting on that question because a Committee was sitting unstairs, and it was against the established practice of the House to take a vote on any matter which was under consideration by a Committee; but the Committee referred to was instructed merely to go into the general question of the election of members of Boards of Guardians, and not whether the ballot should be introduced. The word "ballot" had been expressly struck out of the Resolution appointing the Select Committee at the request of the right hon. Gentleman opposite (Mr. Sclater-Booth). He thought the right hon. Gentleman (Mr. J. Lowther) had rather over-stated the case on that point; but it was to be presumed that if anything irregular was proposed to be done, the Speaker would notice its irregularity. The House had now the definite question put to it whether the ballot should be substituted for other modes of election; and on that issue, which seemed to him to be a very fair one, he must vote for the second reading of the Bill.

Mr. O'CONNOR POWER said, it had not been his intention to take any part in the discussion, as he had the honour of being a Member of the Committee before which he hoped the matter would be fairly debated. He was surprised at the grounds upon which the Chief Secretary for Ireland sought to dissuade the House from coming to a decision upon the question. When the Select Committee was appointed the Government insisted upon striking out of the Resolution the words "by ballot or otherwise." He then understood that the ballot should not come under the deliberations of the Committee, and they were now asked not to consider the subject as it was now under the charge of the Committee. The right hon. Gentleman said that the support which this Bill received was based upon his experience of Parliamentary Elections before the ballot, and anyone who listened to the speech of the Chief Secretary for Ireland would be under the impression that the present system of voting in Poor Law elections supplied no grievance similar to those which were suffered in Parliamentary Elections. The hon. Member for Tipperary, who introduced the Bill, gave instances of local oppression. He might state for the information of the House that, within the last two or three days, he had received letters from two very respectable Guardians of the poor, whose seats were threatened by the action of the agents of the local landlords. He could assure the House that it was not a desire for mere electoral symmetry that induced the Irish Members to bring forward this Bill.

Mr. SCLATER-BOOTH explained that in the Reference to the Select Committee in question, to the appointment of which he had recently assented on the part of the Government, he had suggested the omission of any specific mention of the ballot, because he did not wish to prejudge the question as to how Guardians of the Poor might be most satisfactorily elected. It was not a simple question of ballot or open voting, but a complex question—namely, whether the three principles or securities—the voting paper, vote by proxy, and plural voting, were compatible with the mode of election by ballot. It did appear to him that, seeing the Committee had to take account of the mode of election in Ireland, England, and Scotland, they would be greatly hampered in their inquiry if the House was to affirm that the principle of the ballot was to prevail in Ireland. He believed that the Local Government Board in England had the power, without any change in the law, to make very considerable changes in the mode of election in any particular district or category of districts where an alteration in the manner of conducting the election might be considered desirable. He did not know whether the Chief Secretary for Ireland had similarly the power to direct that voters should record their votes at the poll, instead of having them collected from house to house; but, if so, an exercise of that power would probably remove many of the evils now complained of.

MR. GRAY thought the right hon. Gentleman the Chief Secretary for Ireland should have taken the House into his confidence, and told them the position which the Government took upon that question. The whole of his argument against proceeding to a division had been that the general question was referred to a Committee. But this Bill was introduced before the Select Committee was nominated, and he was, therefore, perfectly justified in pushing it to a division. His position was stronger than that. He said that the reform was urgently needed for Ireland. He did not know whether the right hon. Gentleman was aware that he was the President of the Local Government Board for Ireland, and he had hoped that in that capacity he would have told them how many complaints the Local Government Board had been in the habit of receiving. He believed the hon. Gentleman would find that more than two sworn investigations were held annually in Ireland. The Chief Secretary for Ireland asked what ascendency meant? and supposed that it meant the representation of property. He would tell the right hon. Gentleman what ascendency meant in Ireland. In one Union—that of Roscrea, in the county Tipperary, which he represented—there were 36 Protestants against nine Catholics in the Union, while the proportion of the population was five or six Catholics to one Protestant. That was what he called ascendency. Every officer in the union—the clerk, master, medical officers, two schoolmasters, relieving and sanitary officers, and dispensing officers were all Protestants, the only Catholic official being the porter. That was what he called ascendency. These Protestant Guardians supplied the Catholic poor under their charge with meat costing 3½*d.* to 4*d.* a pound. He thought it must be pleuro-pneumonia meat, for he could not conceive how any other could be purchased for the money. That was how ascendency worked. As to the question of disfranchising women, had they them disfranchised under the School Board system of election in England? There was not a less dangerous operation in the world than entering a booth to record a vote by ballot. He was willing to refer the Bill to a Select Committee, if necessary, if only the House would sanction its principle by reading it a second time; but the Reports of former Select Committees had not been acted upon, and there was no evidence at present to show that the question would be treated with any more urgency if a Select Committee inquired into it without that sanction.

Question put, "That the Original Question be now put."

The House *divided*:—Ayes 164; Noes 208: Majority 44.—(Div. List, No. 75.)

TRAMWAYS (IRELAND) ACT AMENDMENT BILL—[BILL 47.]

(*Mr. Collins, The Marquess of Hamilton, Mr. Shaw, Mr. William Wilson.*)

SECOND READING.

Order for Second Reading read.

MR. COLLINS, in moving that the Bill be now read a second time, said, that at that late hour he would not occupy the attention of the House, although he would have desired to go into the merits of the measure. With regard to Tramways in Ireland, there were three Acts bearing upon the subject — one passed in 1860, another in 1861; while the remaining Act, which was introduced by the present Lord Chancellor (Lord Cairns) in 1871, adopted the provisions of the preceding Acts, amending them to the extent of enabling mechanical power to be used in connection with the Tramways in Ireland. No new principle had been introduced into the Bill; but a prominent feature in it was that it would enable Grand Juries and other local authorities in Ireland to grant baronial guarantees, by means of a public Act, to Tramways in the same manner as they granted them to Railways under the guarantee clauses of Private Railway Bills. It was a singular fact that these three measures, of such great importance, which had been considered after great deliberation and care, were at the present time inoperative, and they desired to make them operative. Under the operation of the Bill, the guarantees granted by Grand Juries and other local authorities must be submitted to the Lord Lieutenant of Ireland in Council for approval, and, in case of an appeal against them, the subject would have to be referred to Parliament for its decision. A defect, which it was proposed to remedy, in the existing Acts was the tolls in one class of goods, which, by inadvertence in preparation of the schedules, were charged at too low a rate—1*d.* instead of 2*d.* It was also proposed, in consideration of the great improvements which had been made in recent years in the construction of locomotives, to urge that a greater speed than was now allowed should be adopted, and that, instead of three miles an hour in town, it should be extended to five, and that, instead of six miles an hour in the country, it should be extended to eight as the rate of speed. The Bill was regarded favourably by those who took an interest in Tramways in Ireland, as it gave an opportunity to utilize existing Acts which had the support of both sides of each House when going through Parliament. He would not trouble the House with any further observations, as he understood that it was the intention of the Government not to oppose the Bill. As the measure was one of very great importance, and one with respect to which there would probably be a great deal of discussion in Committee, he would only say that its supporters would be ready to accept any reasonable suggestion which might be made for its amendment.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Collins.*)

Mr. BIGGAR said, he was not inclined to discuss the merits of the Bill at that advanced hour, especially as it contained 11 pages, and he proposed that the discussion should be adjourned to a future day. It was a measure which was promoted for objects which might or might not be meritorious, but it had not been brought forward by the Home Rule Party. Consequently, he was in a position to speak of it in a most impartial manner. He had had an opportunity of looking over the Bill, and, upon the whole, he had not formed a very favourable opinion of it. One of the points in it was the giving of authority to Grand Juries in Ireland to guarantee a dividend of 5 per cent on the estimate value of Railway Companies which chose to promote Tramways. Upon the face of it, that would seem rather a plausible proposition; but, unfortunately, these Grand Juries were not a body that even the Conservative Government would defend, being men of small means, liable to influences, and not persons of the honestest nature. They knew that in Ireland there were promoters of Companies who were gentlemen of rather a shadowy nature. Upon the whole, he thought that this measure should be discussed at some future day.

The Marquess of HAMILTON said, that while he was prepared to give the Bill his warmest support, he would reserve any observations which he had to make upon it until a future occasion.

It being a quarter of an hour before Six of the clock, the debate stood adjourned till *To-morrow.*

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 28*th March*, 1878.

MINUTES.]—Public Bills—*First Reading*—Local Government Provisional Orders (Bristol, &c.) * (53).
Select Committee — Contagious Diseases (Animals), The Lord Crofton *discharged.*
Report—Entail Amendment (Scotland)* (15-52).
Royal Assent—Consolidated Fund (No. 2) [41 *Vict.* c. 9].

The House met at Four of the clock.

THE MINISTRY — RESIGNATION OF THE EARL OF DERBY.

STATEMENT.

The Earl of DERBY: My Lords, it is my duty to take the earliest opportunity of stating to your Lordships that I have ceased to hold the office of Secretary of State for Foreign Affairs, or, to speak with more verbal accuracy, that my resignation of that office has been tendered to and accepted by Her Majesty, and I only continue to hold it till the appointment of a Successor shall relieve me from its duties. My Lords, as a general rule, it is equally the right and the duty of a Minister who retires from office to explain, usually in some considerable detail, to Parliament, the character and nature of the differences which have arisen between him and his

Colleagues, in order that he may justify himself from the imputation of having taken what in any circumstances is a grave and important step on light or inadequate grounds. My Lords, I regret that, under present circumstances, it is not possible, or, at least, desirable, for me to follow that customary and convenient rule. My Lords, I have received from Her Majesty and from my noble Friend at the head of the Government full permission to use my own discretion in the matter; but your Lordships will easily understand that in the present state of our foreign relations there are many things which require to be considered and decided upon by those who are responsible for the conduct of public affairs which it is not in the interest of the State should be made public at the time when the decision upon them is taken. My Lords, the Cabinet have arrived at certain conclusions which no doubt are of a grave and important character. In the measures which they propose I have not been able to concur. My Lords, to prevent needless alarm from any words of mine, let me say at once that I do not consider that those measures necessarily or inevitably tend to bring about a state of war. I give those with whom I have acted entire credit for desiring as much as I desire the maintenance of the peace of Europe. We agree as to the end, but unhappily, we differ as to the means; and I cannot, in the exercise of my deliberate judgment—however willing and anxious I may be to submit that judgment to what I know to be in many respects the better opinion of my Colleagues—I cannot consider the measures upon which they have decided as being prudent in the interests of European peace, or as being necessary for the safety of the country, or as being warranted by the state of matters abroad. My Lords, when the concurrence of Parliament is asked for those measures of which I have spoken, I shall be ready, if necessary, to vindicate the opinion which I have entertained; but, until then, I consider I am bound by public duty to speak only in the most general terms, leaving it to those who are responsible for the management of public affairs the choice of the time and the manner in which they will think it their duty to bring them before your Lordships. My Lords, there is one possible misconstruction of my conduct against which I think it is desirable I should guard. It might possibly be inferred, from the time at which I speak and the nature of what I have said, that I have dissented from the view taken by the Cabinet of the conditions on which England ought to go into the Congress. I am bound to say that is not the case. I deeply regret the obstacles which have sprung up—sprung up without any expectation on our part that they would arise—in the way of that Congress being called together; but the fault, in my judgment, does not rest with the Government of this country, and the dispute in which we are engaged is not one of form or of words, but one, I conceive, involving a very substantial reality. My Lords, in my opinion, it would be of very little use for England to go into a Congress unless we were assured that the discussion which is there to take place is to be one of a real and not of an illusory character; and if we had to choose between two unsatisfactory alternatives, I am bound to say I think that, in the interests of European peace, it would be the less misfortune of the two that the Congress should not meet at all, rather than that having met, and insuperable difficulties having arisen at the outset of its sitting, it should break up without any result having been arrived at. My Lords, I did not rise to argue this point. I have referred to it merely to prevent the idea going abroad that it was on that question of the Congress that the Cabinet and I have been unable to agree. My Lords, I need not tell your Lordships—and least of all need I tell my noble Friend at the head of the Government—that no personal motives have influenced or could influence me in the step which I have felt compelled to take. Every personal motive and every private feeling influenced me in the opposite direction. My Lords, no man would willingly break, even for a time, political and personal ties of long standing; and in the public life of the present day there are few political and personal ties closer or of older date than those which unite me with my noble Friend. My Lords, I will say more. I have always held that in minor matters a public man is not merely justified in making a considerable sacrifice of his personal opinions, but is often bound by duty to make such sacrifice, because without it Party organization and collective action would become impossible; but, my Lords, when questions of European interests are at stake—when the matters in discussion are really matters involving the issue of peace or war—I am sure your Lordships will feel, as I do, that those are not matters in regard of which it is possible for any man actuated by a sense of public duty to allow himself to be influenced by considerations of personal respect and regard. In that respect, at least, I know that I am of one mind with my noble Friend at the head of the Government. My Lords, I end as I began, by saying that I am compelled at present to speak only in these general terms. I must reserve for a later date, if it becomes necessary, any further explanation of the course which I have pursued.

The Earl of BEACONSFIELD: My Lords, as your Lordships have just heard, the Queen has lost to-day the services of one of the ablest of Her Counsellors. Those only who have served with my noble Friend can sufficiently appreciate his capacity for affairs, the penetrating power of his intelligence, and the judicial impartiality of his general conduct. My Lords, I have served with my noble Friend in public life for more than a quarter of a century, and during that long period the cares of public life have been mitigated by the consolations of private friendship. A quarter of a century is a long period in the life of any man; and I can truly say that, so far as the relations between myself and my noble Friend are concerned, those years have passed without a cloud. My noble Friend has to-night, with prudence and perfect taste, avoided entering into the particular reasons that have induced him to take a step which on his part is so momentous, and which to the country must be of interest and importance. My Lords, I shall be quite willing to refrain from entering into those topics myself until the period when they may be legitimately considered by your Lordships; but I have learnt that so much public mischief may occur from unnecessary mystery in these matters, that I feel it my duty to-day to say that in consequence of our belief that the Congress would not meet, for reasons which it is now unnecessary to touch upon—especially as my noble Friend, with a becoming candour, has admitted that upon this subject there was no difference of opinion between him and his late Colleagues—it became matter of consideration for Her Majesty's Government, at a period like the present, when the balance of power in the Mediterranean is so disturbed, and when the hopes of rectifying that balance by the meeting of the Congress seem altogether to have ceased, to decide what steps should be taken in order to countervail or resist the mischiefs which were impending. It is, therefore, in the interests of peace, and for the due protection of the rights of Her Empire, that we have thought it our duty to advise Her Majesty to avail herself of those powers which she has of calling on the services of Her Reserved Forces. With that view a Message will be laid before Parliament according to the provisions of the Statute in the case. My Lords, I felt it my duty to make this announcement; and when the occasion—which, of course, is near—occurs, your Lordships will have the opportunity of considering the whole question of the policy and of the conduct of Her Majesty's Government. That we shall not be supported on that occasion by the abilities of my noble Friend who has been so long my companion, I deeply deplore. These wrenches of feeling are among the most terrible trials of public life; but we may draw from them at least one noble and consolatory inference—that the sense of duty in our public men is so great that they can bear even these painful trials. My Lords, I have felt of late that the political ties between myself and my noble Friend must soon terminate; but I believed they would terminate in a very different and a more natural manner—that I should myself disappear from the scene, and that he would remain in the maturity of manhood, with his great talents and experience, to take that leading part in public affairs for which he is so well qualified. We have lost his services. I, personally, of all his Colleagues, suffer most severely in that respect; but I am sustained by the feeling at the present moment that I am conscious and confident that the policy which we have recommended Her Majesty to adopt is one which will tend to the maintenance of her Empire, to the freedom of Europe, and to the greatness and security of this country.

Viscount CARDWELL was understood to express his regret at the absence of his noble Friend (Earl Granville) during the important statements which their Lordships had just heard. He was sure his noble Friend would much regret the accidental circumstance which had caused him to be absent on the occasion. For himself, he would only express the great respect which he sincerely felt for the noble Earl the Foreign Secretary, and his great regret at the announcement; he regarded it as very grave, and only hoped it might not even prove to be calamitous. Meanwhile, he would follow the example which the noble Earl had set, and abstain from discussing a subject on which they were as yet so imperfectly informed.

THE ARMY—MARKING DESERTERS.

QUESTIONS. OBSERVATIONS.

LORD ELLENBOROUGH asked the Under Secretary of State for War, Whether Her Majesty's Government contemplate, without delay, altering the Articles of War, in view of reverting to the practice of marking deserters with the letter "D," or soldiers otherwise, on enlistment; also, if it is intended to revert to the practice of gazetting medical officers to regiments in lieu of the more recent practice of gazetting to the Medical Staff of the Army at large only, in view of obtaining a larger number of candidates for examination as surgeons? He took this opportunity of correcting an often-repeated misapprehension of terms in reference to "marking" soldiers with the letter "D," or otherwise, for civil and military offences, the term "branding" being a purely civilian expression, to denote what was properly termed by the Articles of War "marking"—the word "branding" never being used by an officer, as not being justified, as a reference to the Articles of War would have shown, and even a civilian, if a lawyer, or possessed of sufficient information in reference to such matters, since they would make reference to the Articles of War before employing an inappropriate term first made use of, for purely electioneering purposes, by a Gentleman who wished to obtain the votes of a very considerable section of a constituency composed as it was in a great degree of discharged soldiers; and the phrase was adopted by those who took up the cry for political purposes, without having any punishment as a substitute for the offence of desertion, who, nevertheless, advocated the abolition of the practice of marking with the letter "D" for this military crime. Dealing with the same constituency, this Gentleman, also, for the purpose of catching votes, advocated the abolition of the punishment of flogging, for which no substitute could be found likely to meet with favour from those acquainted with all that bore upon this subject; but when it was stated that the constituency in question was that of Chatham, noble Lords would not be greatly surprised to learn that for the moment the electioneering move alluded to was attended with success, although the same Gentleman subsequently was not again returned for the borough of Chatham. Although advocating the re-imposition of the punishment of marking deserters clearly proved to have committed the offence of desertion, not confusing it with the technical offence of absence without leave for a short time—although, technically, constituting the offence—leaving to the court martial to judge in the matter according to the circumstances of the case, he could not adopt the suggestion of a noble and gallant Lord (Lord Abinger), on a late occasion, that soldiers should be marked in some manner on entering the Service, since such a course would only add to the duties of the already overworked commanding officers of regiments. For, as previously in so many instances, where the War Office authorities were at fault, they would apply to the commanding officers of regiments for assistance in reference to discharged soldiers, who alleged they were such, as was instanced in a notable case some years since, when the regiment under his command, in common with other regiments of Cavalry and Infantry of the Line, were enabled to furnish on application all the Returns necessary to enable the War Department to state the amount of loss for the information of the House of Commons, in a manner that enabled a proper audit of the accounts in question to be made—namely, those connected with the defalcations that took place at Weedon in the Storekeeper's accounts at that War Office Depôt. Therefore, he (Lord Ellenborough) was unwilling to do anything to impair the usefulness of such portions of the regimental system as were yet not interfered with, for where additional work was imposed upon the commanding officer of a regiment by new changes, the War Department, while careful to place before "another place," or the other Branch of the Legislature, information as to the additions necessary in the shape of the increase of clerks at the War Department, lost sight of the fact that the work already imposed on the orderly room of a commanding officer, who had only one paid clerk, might fairly be considered in any new arrangements, when made from time to time, or now in contemplation. Holding respectfully the opinion of the late illustrious Duke of Wellington, that the pay of the private soldier should not be increased, he advocated, nevertheless, as no contravention of that well-founded opinion —strenuously advocated— that the pay of the non-commissioned officers should be increased; the more so, in view of the Army being added to, so as to bring regiments in numbers something approximate to their strength previously, and to put those enlisted on a more equal footing with artizans, since those to be enlisted would very shortly, by steadiness and attention to duty, cease to receive the lower rate of pay of a private soldier on promotion to the rank of non-commissioned officer; and, by a restoration of pensions, which alone would be justified by longer Service, the pension being made proportionate to the length of Service—all being made entitled to pensions for a longer or shorter period, who might serve actively in the field. With regard to the medical officers, great dissatisfaction was felt by the surgeons at the abolition wholly of the regimental system in respect of them. He thought that a return to the practice of gazetting them to regiments wholly, or in part, at least, instead of only to the Army at large, would be more advisable, and felt confident that such a course would occasion a greater number of candidates to present themselves for the Medical Service of the Army; and the daily papers and Press generally furnished letters in corroboration of this view—submitted by him for the consideration of Her Majesty's Government. He trusted that if the Mutiny Act was to be referred to a Parliamentary Committee, it might be to a Joint Committee of both Houses of Parliament; but would prefer a Royal Commission, as the latter would not have the appearance of, either practically or even theoretically, trenching upon the Prerogatives of the Crown.

Viscount TEMPLETOWN was against all marking of men entering upon voluntary service, and the man who was branded with the letter "D" ought to be expelled from the Army. He thought, as to deserters, it would be well to restore the powers confided to courts martial before the year 1870—namely, that under extenuating circumstances courts martial should be allowed to recommend that marking with the letter "D" should not be inflicted; that in all cases of first desertions, such consideration would probably be found advantageous, and have the effect of restoring such offenders to the ranks by voluntary surrender. He thought that the Army should desire to possess within itself men of mark, rather than marked men.

Lord RIBBLESDALE thought that the marking with the letter "D" should be left discretionally with the court who tried a man for absence. Where there was evidence that the intention had been to desert, marking with "D" might be resorted to; but, at the same time, men who had been so marked had afterwards done good and faithful service to Her Majesty. In his own regiment, a man who had come back after two years' imprisonment was marked with the "D;" but he remained in the regiment, and so good had been his conduct that before long he would be a serjeant-major.

Lord ABINGER observed, that, when on a former evening he suggested that all persons, whether officers or men, on entering the Army might be marked, he did so as an alternative in case opinion should be against the "D" being marked on deserters. He repeated his opinion that neither officers nor men would object to a mark which would show that they had been soldiers.

Viscount BURY thought it would be generally conceded that the Queen's "bad bargains," as they were called—those who cheated and defrauded their country by frequent desertions and re-enlistments—had no right to expect much indulgence and consideration at the hands of their country. It was not the intention of the Secretary for War to make any immediate recommendation upon this subject; but as a Committee of the other House was about to be appointed on the Mutiny Bill, this was one of the subjects which might be very fairly referred to that Committee, and which might properly be dealt with by their Report. With regard to branding, he believed it was abolished from no motives of pseudo-humanity or from any notion that a man was hurt by the operation—it was abolished at the same time that branding of civil prisoners was done away with, and it was thought that its retention for military prisoners would have had a bad effect in the then state of public feeling on the question of branding. Under the new circumstances now obtaining, the matter might very reasonably be referred to the Committee, whether that punishment might not be returned to in order to check what had arisen under the short-service system—namely, men making a regular trade of desertion and re-enlistment. With regard to the Medical Staff, it had been unduly depreciated. It was not the fact, as had been stated, that it was in an extremely unsatisfactory state, or that it was very hard to find suitable candidates to fill up the vacancies as they arose. At the present moment the Medical Establishment of the Army was somewhat over 900 medical officers, and there were only eight vacancies. Equally with the civil branch of the Medical Profession, the Army was suffering from a scarcity of students. His right hon. Friend the Secretary for War had conducted a large correspondence with medical men throughout the country; but he believed they had never yet formulated the grievances of which medical officers complained. With regard to the proposed return to the regimental system—that system, be it good or bad, had passed away, and was beyond recall. The new system of a unified Medical Staff for the whole Army had been found to work reasonably well in practice; but it was yet on its trial, and it would be unwise to dismiss it as unsuccessful until it had been fairly tried. Those, however, most competent to judge, considered that in a short time, with the alterations that were now being introduced, it would become popular and efficient, and it was a matter for congratulation that under the present system the health of the Army was extremely good. Under the circumstances, and having regard to the fact that the whole question of the Medical Service had been referred to a small Committee, at the head of which was Sir William Jenner, he thought their Lordships would not require him to enter further into the matter at present.

LORD WINMARLEIGH, having served on the Committee which recommended that branding should be given up, said, that among the reasons which influenced the Committee in making that recommendation was the feeling that, as branding had been discontinued in the civil prisons, it ought not to be continued in the Army.

THE DUKE OF CAMBRIDGE: My Lords, I have heard a great many men's opinions in the Army on almost every subject connected with it, but I never heard the slightest difference of opinion on the subject of desertion having largely increased in consequence of the abolition of "marking"—the whole difficulty, in fact, consisted in the use of the objectionable word "branding." I am in favour of some system of marking deserters and bad characters, in order that it may be known that a man, when he offers himself for enlistment, has previously deserted, or been discharged for misconduct. He would have an opportunity of stating why he left the Service, and it could be discovered if his statement was true. If he could not give an account of himself, and he was marked, it would be a clear proof that he was a worthless character. I have seen a great many men called recruits who, I was satisfied, had been previously in the Army; but, of course, on being questioned, they denied it, and there were no means of testing the truth of the statement. The number of men whom it is shrewdly suspected have been previously in the Army is very great, but there is, at present, no means of knowing whether they have been turned out for misconduct or have left of their own accord. If a bad character were marked, it would be at once discovered if he were to attempt to re-enlist. We are glad to take back men who have left the Army without disgrace—that is the sole ground for having a man marked. Let the mark be as slight as you like; but I think it is essential you should have some security that a man who has been turned out of the Army for misconduct should not find it possible to re-enlist. I do not agree with the opinion that a man who has once deserted should not be allowed to serve again. I have known many men who have deserted afterwards turn out excellent soldiers. Certainly, I am not in favour of "branding" a man; but I think he might be marked in some unostentatious way, if I may so express myself.

Lord WINMARLEIGH explained that the term "branding" did not originate with the Committee with whom he acted in reference to this matter; but "branding" was universally used formerly, as applicable to both civil and military matters.

Lord WAVENEY was understood to ask the noble Lord the Under Secretary for War, whether it had been correctly stated that the next Mutiny Bill or the present would be referred to a Select Committee?

Viscount BURY said, a new Bill had been drafted by the Law Officers of the Crown, which it was the intention of the Government to submit to a Select Committee; but the present Mutiny Bill must be passed before the 25th April. After Easter the Select Committee would be appointed. Several noble Lords had asked whether the Committee would be a Joint Committee of both Houses of Parliament or of the House of Commons only? and he had inquired of his right hon. Friend the Secretary of State for War whether there would be any objection to appointing a Joint Committee? His right hon. Friend's answer was that so many Gentlemen of the House of Commons were anxious to serve on the Committee, that if an equal number of Members of their Lordships' House were added, it would make the Committee entirely unwieldy; and, therefore, it was intended that the Committee should be altgether composed of Members of the House of Commons.

House adjourned at Six o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 28th March, 1878.

MINUTES.]—Supply—*considered in Committee*—Civil Service and Revenue Departments (Vote on Account).

Public Bills—*Resolution in Committee—Ordered First Reading*—Bills of Exchange (Acceptance) * [135].

Ordered — First Reading — Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation * [136].

First Reading—Territorial Waters Jurisdiction * [137].

Second Reading — Tramways (Ireland) Acts Amendment * [47], *debate further adjourned.*

Committee—Metropolis Management and Building Acts Amendment (*re-comm.*) * [132]—r.p.

Committee—Report—Mutiny.

QUESTIONS.

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ELEMENTARY EDUCATION ACT—BOARD SCHOOL, WYMINGTON.

QUESTION.

Mr. CHAMBERLAIN asked the Vice President of the Council, Whether it is true that the parish of Wymington has been without any public Elementary School accommodation since the passing of "The Education Act, 1870," and that the final notice requiring such provision to be made was only issued by the Education Department in May 1877; why, this notice having expired in November last, the Education Department has not issued its order for the formation of a School Board; whether this delay was due to the representations of the Vicar of Wymington made in 1870, and subsequently repeated at intervals, that a site and subscriptions had been offered for a new school which would shortly be provided; whether the Department has now been informed by the Vicar that the proposed school will not be built on the site originally suggested, but that a building upon the rectory farm is to be transferred to the school managers at a cost of £300 and converted into a school; whether it is the intention of the Education Department to accept the building so converted as satisfactory provision for school accommodation; and, whether in this case the grant of £151, which was sanctioned in 1870 towards the erection of a new school on the original site, will be transferred in aid of the expense of purchasing and converting the building now offered?

Viscount SANDON: The hon. Member's Question is so long, and refers to so many details ranging over seven years, that I must trouble the House at some length. There has been no public elementary school in the parish of Wymington since 1870. The first notification by the Department of the amount of school accommodation required was made in June, 1873, and the final notice was issued in May, 1877. When the final notice expired in November of last year, the Education Department found that a site which they approved had been acquired, and that school buildings which they had sanctioned were being proceeded with with due despatch; and, therefore, in accordance with the usage of the Department since the passing of the Act of 1870, no order for a school board was issued. Representations had been made, from time to time, by the vicar, in which he appears to have been supported by the churchwardens, overseers, and other inhabitants of the place, of their earnest desire to provide the necessary school, various schemes were submitted to the Department, and, as the intention seemed to be a *bond fide* one, delay was permitted. The local promoters of the school appear to have met with considerable difficulties, and the matter was further complicated by schemes for the Midland Railway going through the village at different points which might have affected the proposed school. Some time back the Department were informed of the change of site, and that a building upon the glebe farm would be sold to the school committee which could be well enlarged so as to supply a good school. The Department were satisfied that the new site was suitable and generally approved by persons connected with the locality, and the proper surveyor's certificate was furnished to the Department in the usual course as to the building and its price. The Department have also been satisfied that all the usual requirements as to the school, class-room, and residence, have been fully met by the building which is being enlarged, and I need hardly remind the hon. Member that the requirements of the Department as to buildings, &c., if blamed at all, are usually found fault with for being excessive. We also received last year a formal assurance, signed by the two churchwardens, the two overseers, and the waywarden of the parish, that the building was substantial and built of excellent materials, and that the site itself was the best and most central, and was preferred by the great majority of the inhabitants. The school itself and class-room, we are told, are now ready except the furniture, and a certificated teacher is on the point of being engaged. If the usual requirements of the Department are found to be fully met when the building is actually ready for opening, the building grant will be given. This is one of a difficult class of cases, being a small village of about 300 souls. In such cases, where we find that the inhabitants are striving to provide a good school in the face of considerable difficulties, we think it better to adhere to the practice which has prevailed in the Office from the time of our Predecessors, and to give them ample time for carrying out their work, instead of at once ordering a school board; as experience has shown us that to force a school board upon these very small villages when they are hostile to a board, and at present do not supply suitable materials for a board, is by no means the quickest way of providing for the education of the children in these places, which is, of course, the primary object of the Education Acts and of the Department.

LAW AND POLICE (IRELAND)—PROCESSION AT LONDONDERRY.

QUESTION.

MR. MACARTNEY asked the Chief Secretary for Ireland, Whether his attention has been called to occurrences stated in the "Dublin Daily Express" of the 19th instant to have taken place at Londonderry on the previous day, when a Nationalist demonstration was made in that city, consisting of a procession of many thousand persons carrying flags and banners with seditious mottoes inscribed upon them, when one of the arches which had been erected was taken down by order of the magistrates who considered the mottoes seditious, when in spite of the remonstrance of the loyal inhabitants, who requested the magistrates to prevent the display of seditious and disloyal emblems in the procession, they, the magistrates, declined to interfere and allowed it to march through the streets for several hours unmolested, whereas a number of loyal citizens of Derry carrying the Royal ensign were charged by the police with drawn swords, whereby the Royal ensign was cut and slashed, and the pole broken; and, whether the magistrates and police of Londonderry were acting on that occasion under instructions received from the Government authorities at Dublin Castle?

MR. J. LOWTHER: Yes, Sir; my attention has been called to these proceedings, which have been described with substantial accuracy by my hon. Friend. With reference to the last paragraph in his Question, I think, perhaps, I had better briefly state the substance of the instructions that were forwarded to the authorities of Derry. They were to the effect that they should prevent the city gates or any public buildings being placarded in any way whatever, whether by loyal or disloyal placards or mottoes; also, that while no action should be taken against processions of either side so long as they constituted no danger to the public peace, any concourse of persons which appeared to be calculated to lead to disturbances should be promptly dispersed. The magistrates appear upon this occasion to have arrived at the conclusion that the particular crowd alluded to—which, by the way, I believe, carried not the Royal ensign, but a Mercantile Marine flag—was likely to be the cause of a breach of the peace, and they accordingly dispersed it. I have not as yet been able to ascertain why the opposing crowd was not also dispersed; but, doubtless, the magistrates had reasons for thinking that course unnecessary.

INLAND REVENUE—DISTRIBUTOR OF STAMPS IN KERRY.—QUESTION.

MR. BLENNERHASSETT asked the Chief Secretary for Ireland, with reference to the recent appointment to the distributorship of Stamps for the county of Kerry, Whether it is the fact that Mr. W. Linihan, who for over twenty-two years has been constantly employed in the Stamp Office at Tralee, applied for the post; whether Mr. Linihan's long experience in the practical management of the office, his intimate knowledge of the Legacy and Succession Duty Acts, and the general satisfaction he has given in the performance of his duties had been brought under the notice of the Government previously to the appointment being made; and, whether a gentleman having no previous connection with the Stamp Office, and no experience of the duties connected with it, has been appointed?

SIR WILLIAM HART DYKE: I ask permission to answer this Question, as it is more particularly related to the offices with which I am connected. It is true that Mr. Linihan applied for the post referred to. The authorities also were aware that Mr. Linihan had been employed by the late distributor of stamps as his deputy, by, I suppose, a private arrangement between the two. With regard to the third part of the Question, although the gentleman now appointed had no previous connection with the Stamp Office, yet he is a gentleman who the Government have every reason to believe is fully competent for the duties of his office.

THE MOYCULLEN DISPENSARY.

QUESTION.

MAJOR NOLAN asked the Chief Secretary for Ireland, If the Local Government Board of Ireland, in a letter dated the 13th October 1876, promised a sworn investigation into the complaints preferred by the Moycullen Dispensary Committee against their Medical Officer; and, whether it is the fact that no such investigation has since been held notwithstanding the reiterated demands of the Moycullen Dispensary Committee that the undertaking of the Board should be observed?

MR. J. LOWTHER: Yes, Sir; it is the case that an inquiry of the description referred to was promised. The complaints were twofold. With respect to one, a sworn inquiry was held; but as to the other, it appeared that the Inspector whose duty it would have been to conduct such an inquiry happened himself to have been a witness of what occurred, and was therefore in a position to make his report without going through the formalities alluded to.

EGYPTIAN FINANCES.—QUESTION.

SIR GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have in any degree departed from their previous resolution not to interfere between the Khedive of Egypt and his creditors?

MR. BOURKE: Sir, there has never been any intention on the part of Her Majesty's Government to interfere officially between the Khedive of Egypt and his creditors; but they have intimated that they are willing to allow Mr. Rivers Wilson to take part in an inquiry which they understand is about to be instituted by the Khedive.

CATTLE PLAGUE.—QUESTION.

MR. W. CARTWRIGHT asked the Vice President of the Privy Council, Whether he has any knowledge of a Statutory enactment, already approved by the Federal Council of the German Empire, and now submitted for confirmation to the German Legislature, imposing new and stringent provisions to guard against importation into Germany, and notably from Russia, of animals affected with rinderpest; and, whether, amongst those provisions there is not the rendering liable to five years penal servitude any persons who may lend themselves knowingly to the introduction of animals so diseased?

VISCOUNT SANDON, in reply, said, that no information had been received at the Privy Council Office of the enactment to which the hon. Member had alluded, and that if the hon. Member had any official information on the subject he should be very glad to receive it.

ARMY—THE ROYAL ENGINEERS.

QUESTION.

MR. ION HAMILTON asked the Secretary of State for War, When he will be prepared to lay upon the Table of the House the Royal Warrant for the re-organisation of the Clerical Branch of the Royal Engineers?

MR. GATHORNE HARDY, in reply, said, a scheme had been drafted, and it was at present only in its preliminary stage; but that as soon as it was prepared it would be laid on the Table of the House.

THE EASTERN QUESTION—RUSSIA AND TURKEY—TREATY OF SAN STEFANO.

QUESTION.

MR. PAGET asked Mr. Chancellor of the Exchequer, If he will cause to be furnished to Members of this House a Map showing the whole area included in the provisions of the Treaty of San Stefano, with the proposed boundaries?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he thought the Map already in the hands of hon. Members gave a fair indication of the boundaries. He would, however, consult with his Colleagues, and see whether anything further could be done, without much expense, to give a more complete view than the present Map.

THE SMOKE NUISANCE ACT.

QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for the Home Department, in reference to the promise made to a deputation of bakers with regard to the Smoke Nuisance Act on the 24th April 1874, that

> "a fair case for inquiry has been stated. I promise you the inquiry shall be thorough and general,"

Whether any inquiry in which the evidence of engineers was taken was ever held; and, if so, whether its results were made public?

SIR HENRY SELWIN-IBBETSON: There seems some slight difference in words in the Question and what fell from the Secretary of State in answer to the deputation of the 24th of April, 1874. *The Times* of the following day reports, I believe accurately, that—

> "Mr. Cross promised he would cause strict inquiries to be made into the matter laid before him by the deputation, and that he would form his own judgment according to the information he thus received."

Inquiries have been constantly made by the Assistant Commissioner of Police, with the assistance of the Engineer appointed under the Act. The results of those inquiries were made known to the Secretary of State from time to time for his information, but no public Report has been made. The complaint of want of notice, which was made by the deputation, has been rectified by a form of notice issued to the proprietor whenever an application is made for authority to prosecute. I may add that the number of bakers reported by the police in 1874 was 644, and in 1877 434; that 120 summonses were applied for in 1874, and 63 in 1877 only; and that out of 3,130 bakers in the Metropolis as defined by the Act, 3,067 conducted their business so as to obviate any necessity for legal proceedings against them.

FOUNDERING OF H.M.S. "EURYDICE."

QUESTION.

MR. O'CLERY asked Mr. Chancellor of the Exchequer, Whether, in view of the recent loss of H.M.S. "Eurydice," it is the intention of the Government to propose a grant of public money to aid the families of those seamen who lost their lives in their Country's service, instead of leaving that duty to the ordinary channels of public subscription?

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, I have been in communication with my right hon. Friend the First Lord of the Admiralty, and may state that the same course will be followed with regard to the families of the unfortunate men lost in the *Eurydice* as was adopted in the case of Her Majesty's ship *Captain*, which was lost some years ago. I will not trouble the House with the details of the different rates of pensions and gratuities that were given to the families of the unfortunate men who were lost upon that occasion; but the same course will be pursued in this case.

COLOUR SERGEANT M'CARTHY.

QUESTION.

MR. O'CONNOR POWER asked the Secretary of State for the Home Department, If he will lay upon the Table of the House a Copy of the Depositions and Verdict of the Coroner's Jury in the case of the late Colour Sergeant M'Carthy?

MR. ASSHETON CROSS: In the first instance, I gave instructions that the depositions should be included in the Papers laid on the Table and ordered to be printed. I did not find until yesterday that that was not the case; and I gave orders yesterday for the mistake to be rectified.

THE NATIONAL GALLERY—PURCHASE OF PICTURES (CIVIL SERVICE ESTIMATES).—QUESTION.

MR. O'REILLY asked the Secretary to the Treasury, If he can state on what calculation the Item of £5,000 in the Civil Service Estimates (Class 4, Vote 4, National Gallery), for the Purchase of Pictures, is based; and whether the same sum is generally estimated each year?

COLONEL STANLEY: The amount of the annual Vote for the purchase of pictures for the National Gallery was fixed by a Treasury Minute of March 1855—which was presented to Parliament—at £10,000. In 1870 the Peel Collection was purchased for £75,000, and it was arranged that the annual purchase grant should be suspended until the Exchequer had been recouped this outlay. The Trustees consider that the time has now arrived; and the Treasury, though not quite accepting the figures of the Trustees, so far agreed, that we determined to insert the sum of £5,000 in the Estimates for 1878-9, without prejudice to the point at issue, as the adjustment of the question at issue would have required some consideration and we were desirous to avoid delay.

THE EASTERN QUESTION — RUSSIA AND TURKEY—THE CONGRESS.

QUESTION.

THE MARQUESS OF HARTINGTON asked the right hon. Gentleman the Chancellor of the Exchequer, Whether he is able, or expects shortly to be able, to give the House any further information respecting the meeting of the Congress at Berlin?

THE CHANCELLOR OF THE EXCHEQUER: Sir, Her Majesty's Government will be able to lay on the Table this evening some Correspondence on this subject, and it will, I hope, be in the hands of hon. Members to-morrow morning. Perhaps it would be convenient to the House that I should mention the principal points in that Correspondence. The House is already aware that some time ago—on the 13th of March—Lord Derby stated to Sir Henry Elliot that—

> "Her Majesty's Government must distinctly understand before they enter into the Congress that every Article in the Treaty between Russia and Turkey will be placed before the Congress, not necessarily for acceptance, but in order that it may be considered what Articles require acceptance or concurrence by the several Powers and what do not."

That intimation, of course, was communicated to the other Courts also. There was some subsequent Correspondence, which led to the following letter from the Russian Ambassador to Lord Derby:—

"Prince Gortchakoff charges me to represent to you that the Treaty of Peace concluded between Russia and Turkey—the only one which exists, for we have no secret engagement—will be communicated to the Government of the Queen in its entirety and well before the assembling of the Congress. The Government of the Queen, in like manner as the other Great Powers, reserve to themselves at the Congress their full liberty of appreciation and action. This same liberty, which she does not dispute to the others, Russia claims for herself. Now, it would be to restrict her, if, alone among all the Powers, Russia contracted a preliminary engagement."

That communication did not appear entirely clear to Her Majesty's Government, and a further communication was made to Count Schouvaloff by Lord Derby on the 21st of March. Lord Derby, in that despatch, repeated the statement which Her Majesty's Government had previously made, and desired to ask—

"Whether the Government of Russia are willing that the communication of the Treaty *en entier* to the various Powers shall be treated as a placing of the Treaty to the Congress in order that the whole Treaty in its relations to existing Treaties may be examined and considered by the Congress?"

To that the following answer was received yesterday:—

"I lost no time in communicating to Prince Gortchakoff the tenour of the letter which you did me the honour to address to me, dated the 21st of March. The Prince replies to me that the Imperial Cabinet deems it its duty to adhere to the declaration which I was ordered to make to the Government of the Queen, and which is stated in the letter which I had the honour to address to your Excellency dated the 19th of March. As different interpretations have been given to the 'liberty of appreciation and action' which Russia thinks it right to reserve to herself at the Congress, the Imperial Cabinet defines the meaning of the term in the following manner:—It leaves to the other Powers the liberty of raising such questions at the Congress as they might think it fit to discuss, and reserves to itself the liberty of accepting or not accepting the discussion of these questions."

That, Sir, closes the Correspondence.

PARLIAMENT—THE COURSE OF BUSINESS.—QUESTIONS.

In reply to Major NOLAN,

COLONEL STANLEY said, it was hoped they would be able to proceed with the Civil Service Estimates that night.

MR. OSBORNE MORGAN asked, Whether it was the intention of the Government to hold a Morning Sitting on Friday?

THE CHANCELLOR OF THE EXCHEQUER said, he really hoped that it would not be necessary to have a Morning Sitting on Friday. Morning Sittings were most inconvenient, and he hoped there would be no necessity to resort to one to-morrow. Government only proposed them under great pressure.

MR. RYLANDS asked, Whether, in view of the present state of Public Business, the Government would now consent to postpone the further consideration of the County Government Bill until after Easter?

THE CHANCELLOR OF THE EXCHEQUER said, it was perfectly obvious that they could not expect to get a fair discussion of the Bill before Easter; and, therefore, the Government would not propose to proceed with it until after the Holidays.

ORDERS OF THE DAY.

MUTINY BILL.

(*Mr. Gathorne Hardy, The Judge Advocate, Colonel Loyd Lindsay.*)

COMMITTEE. [*Progress 26th March.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 26 (Power of imprisonment by general, garrison, or district courts martial).

MR. PARNELL asked for some clear information from the Secretary of State for War as to the course he meant to pursue with regard to the questions affecting punishments which had been discussed at the previous Sitting. Similar questions arose on the Marine Mutiny Bill, and the course which he and his hon. Friends would take in respect of that Bill would depend on the attitude of the right hon. Gentleman. ["Order!"] With a view to put himself in Order, he would move, *pro formâ*, that the Chairman do report Progress, not to obstruct but to facilitate business. He had heard the word "monstrous" uttered in an audible tone; but the hon. and gallant Baronet (Sir Walter B. Barttelot), who made use of that exclamation, ought to leave the preservation of Order to the Chairman. His object in rising was to point out that the Irish Members, who proposed Amendments to this Bill, were placed in a peculiar, and, he might say, a dangerous position. The Speaker had given it as his opinion that wilful obstruction of the Public Business was a contempt of the House; and the Secretary of State for War having the other night characterized their conduct as obstruction, the Committee would see the position in which they were placed. The Secretary of State for War had a great majority at his back; and he might cause to be expelled or imprisoned any Irish Member who ventured to move an Amendment of which he disapproved. Therefore, he was anxious to ask the right hon. Gentleman if he intended to adopt the same attitude that evening as he did on Tuesday, when he intimated darkly that ulterior proceedings would be taken against the Irish Members who ventured to propose Amendments. If he adopted the same attitude, then the Irish Members would be endeavouring to discharge their duty under circumstances of intimidation. If, on the contrary, he would meet them fairly, and would refrain from appealing to the prejudices and passions of the Committee, then he (Mr. Parnell) could venture to promise that the proceedings in Committee on the Mutiny Bills would be materially advanced and facilitated. He would now refer to the London newspapers, that had joined in the cry of obstruction against them.

Sir RAINALD KNIGHTLEY rose to Order, and asked whether the remarks of the hon. Member were relevant to the business before the Committee?

The CHAIRMAN said, that he understood the hon. Member for Meath to base the Motion which he had made upon some alleged feeling on his part that the Amendments he proposed to move might not be received in the way in which he desired that they should be treated; and he could not say that in taking that course the hon. Member was entirely out of Order. But he must point out to him that in diverging from that line of argument into anything like personal attack, he certainly was taking a most unusual course, and one which had never recommended itself to the Committee or the House.

Mr. PARNELL was afraid it would very often be necessary for him, as it had been in the past, to take a course that might appear unusual to many Members, and one that would not recommend itself to the Committee or the House; but he had occasionally found that such a practice had been attended with very beneficial results. He had no desire to make any attack upon any Member personally; but he was directing attention to the fact that the London newspapers had added their weight to that of the Secretary of State for War in charging them with an offence against the dignity of that House. In fact, they charged them with contempt of the House.

The CHAIRMAN said, the hon. Member would see that the observations he was now making referred rather to a question of Privilege, which should be made when the Speaker was in the Chair, and which were not relevant to the issue that had been raised.

Mr. PARNELL observed that, under those circumstances, he should not then refer to the action of the Press; but he should, before many days had passed, take an opportunity of bringing the conduct of the London Press, in reference to their action, before the attention of the House. It would be impossible for him to continue to discharge what he believed to be his duty if this kind of attacks were to be made upon him; because he and those with whom he acted were there without any power to appeal to the public opinion of this country. ["Order!"] Well, they were far off from their own country, where there was a public opinion. Their action this Session had been deprecated on the ground that the Bill was to be referred to a Select Committee. The Secretary of State for War, whenever he had deigned to make them an answer, had invariably said either they were most unreasonable and foolish, and were moving insensate Amendments; or, if their Amendments were good and sound, what need to take any action on the present occasion when the whole question would be referred to a Select Committee? Now, at the beginning of the Session it was intimated to him that if he refrained from opposing the progress of the Mutiny Bills in Committee, he should be given a seat on the Select Committee. He replied that he should feel it to be his duty to oppose the passing of these Bills with a view to direct public attention to their gross character; and, though his conduct might deprive him of the high honour of a seat on the Committee, yet he was comforted by the reflection that he might have succeeded in directing public attention to several matters which he had not been able to point out last Session. They had been charged with moving numerous Amendments, with making very lengthy speeches, and with taking repeated divisions. Now, what were the facts? On Monday evening they moved four Amendments, and on Tuesday morning three or four. That disposed of the charge, so glibly made, that they were moving hosts of Amendments; and taking innumerable divisions. It was unfair for those who ought to direct the public rightly to seek to create a prejudice against them, and lead the House of Commons astray on this subject. He appealed to hon. Members, who had calmly looked into this matter, to say whether they might not have moved, not three, but 50 Amendments upon the points which they had raised? But they had carefully avoided anything that looked like obstruction, lest they should give any opportunity to anybody to raise that cry against them. He might not be very much interested in the preservation of the privileges of the House of Commons; but those privileges were very seriously threatened. In all probability, hon. Members would be deprived of the privilege of discussing grievances before Supply.

THE CHAIRMAN pointed out that the hon. Member was entering into matter which was not relevant to the Question before the Committee.

MR. PARNELL hoped to connect his observations with the matter before the Committee; but if the Chairman considered them to be irrelevant, he should not pursue the topic. He would conclude by saying that they had some four or five Amendments to propose, which referred to questions distinctly separate from those with which their other Amendments dealt; and he would invite the Secretary of State for War to adopt an attitude which would facilitate the passing of that Bill, and also of the Marine Mutiny Bill, through Committee. He begged to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Parnell.*)

MR. GATHORNE HARDY said, that the hon. Member for Meath had taken a somewhat unusual course in referring to what took place during former discussions. The Committee would remember that he had rarely intervened in the debate except once to speak to Amendments when brought forward; and the remarks he made on both occasions, to which the hon. Member had referred, were towards the close of the proceedings on the Motion to report Progress, which was not persisted in. On Tuesday he did somewhat complain of the length to which the discussions had been protracted; but, on the first occasion, he distinctly said his objection was not to the discussion of the Bill, but to the extreme length at which it was discussed, and to hon. Members speaking so frequently on the same subject. He thought that was not an unjustifiable course of action on his part. He really did not think he should assist in passing the Bill if he were to go further into this matter. He was quite prepared to discuss the Amendments on the Paper; and he trusted that they might speedily come to a conclusion upon them one way or another.

MR. BIGGAR observed, that as a looker-on upon all that had taken place, he must say that if the right hon. Gentleman the Secretary of State for War had discussed the different Amendments which were moved on their merits, and shown less temper, so much of the time of the Committee would not have been occupied in their consideration. There were, no doubt, a great many hon. and gallant Members in that House who took a great interest in the military service; but, unfortunately, that interest was confined to the officers; and the right hon. Gentleman, seeing that the rank and file of the Army were unrepresented in the House, naturally enough did not pay the same consideration to arguments in their favour that he showed for the interests of the other branches of the Service. The right hon. Gentleman had, in effect, argued that he had not had time to look into the clauses of this Bill, and that if the Committee should pass it in its entirety possibly at some future time Amendments would be made in it. He sympathized with the right hon. Gentleman in the position in which he was placed; but he would suggest that the right hon. Gentleman who sat near him (the Judge Advocate General) who was also a barrister, should give his attention to the different clauses, and let the Committee have the benefit of his opinion upon them. He really did think that if the Amendments yet remaining to be moved were argued coolly and temperately on their merits by one or other of the right hon. Gentlemen, business would be greatly facilitated, and there would be much less of that heat, unpleasantness, and ill-feeling which had hitherto prevailed.

Mr. M'LAREN wished to explain that the course pursued by the hon. Member for Meath (Mr. Parnell) and others had placed many Members, himself amongst the rest, in a false position. He had heard of the statement of the Government to refer the whole question to a Select Committee with much pleasure. He thought it an exceedingly fair and reasonable proposal, and that justice was more likely to be done in this matter by a Committee than by discussions in the House itself. He had voted for the first Amendment—to lessen the extent of punishment—as an indication of his opinion in favour of the adoption of that line of improvement; but he then made up his mind to vote on all the other Amendments with Her Majesty's Government, being persuaded that a long discussion, under the circumstances, was not the right or proper thing. He said thus much, because it might otherwise be thought that he was giving votes in favour of severe punishments, when, in reality, he was in favour of relaxing them. He would strongly advise his hon. Friends near him not to persevere in their present course.

Mr. O'CONNOR POWER certainly felt great diffidence in replying to an argument which had been repeatedly answered. The hon. Member for Edinburgh (Mr. M'Laren) had deprecated discussion on the old ground that a Select Committee was promised; but he had no evidence as to how that Committee would be constituted. The hon. Gentleman was one of the humane British Members who had been looking forward to these reforms, say, for the last 40 years; and what had he, and his fellow Members who agreed with him, done to effect these reforms? Why, they had sat still while these Bills had been run through year after year, and now when a real effort was being made to call attention to them, these Gentlemen stood up and said—"Oh, the cause is lost if you Irish Members persist in your course of action." Really, it was not fair to put upon them the odium of defeating the cause. On the contrary, it was impossible to carry any great reforms in that House until public attention outside had been directed to the evils of which Members complained. Their object this year, as last, had not been to obstruct the Business of the House, but again to fix public attention on the matter, and to bring legitimate and Constitutional pressure to bear on the right hon. Gentleman, so that he should not take his eye off these questions until they had been satisfactorily dealt with.

Motion, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 27 to 38, inclusive, *agreed to.*

Clause 39 (No person acquitted or convicted by the civil magistrate or by a jury to be tried by a court martial for the same offence).

Major O'BEIRNE moved, in page 22, lines 30 and 31, after "commissioned officer," to insert—

> "Or to be deprived of any portion of any sum of money, he may be entitled to receive from the Army Purchase Commissioners by the Regulation of the Forces Act of 1871."

He reminded the Committee of the circumstances of the case of Mr. Valentine Baker, who had been sentenced to imprisonment for one year during Her Majesty's pleasure, and likewise fined £500. The universal opinion of England, as expressed in the newspapers, was that while the sentence was perfectly just it was one of extreme severity, and that it fully vindicated the honour of the English Army, and completely satisfied the outraged sense of morality of the English public. But while this officer was undergoing this sentence, he underwent a second trial, at which he was not present. The sentence at that trial was that a further penalty of £4,500 should be inflicted. He considered that it was totally opposed to the most elementary ideas of English justice to punish an officer twice for the same offence by a different court; and it was to prevent the recurrence of such a flagrant injustice and great public wrong, that he had placed his Amendment on the Paper. There was not the slightest doubt that Mr. Justice Brett, who tried this case, was perfectly ignorant at the time of the fact that the authorities had the power of inflicting this second punishment.

Amendment proposed,

In page 22, line 31, after the word "officer," to insert the words "or to be deprived of any portion of any sum of money, he may be entitled to receive from the Army Purchase Commissioners by the Regulation of the Forces Act of 1871."—(*Major O'Beirne.*)

Question proposed, "That those words be there inserted."

MR. GATHORNE HARDY explained that by the clause a person who had been convicted by a court martial for an offence or a crime could only be cashiered or removed from the Army. If he was cashiered or removed he lost his purchase money. There were many cases in which it would not be possible to allow a man to take his money; but if the words proposed were inserted, they would entitle such a person to receive it. He felt great pity for the gallant officer who had suffered under the operation of the clause; but, at the same time, it was the inevitable consequence of his removal from the Army.

MAJOR O'BEIRNE said, he certainly should press his Amendment to a division, as a protest against the shameful disadvantage at which officers who had obtained their commissions by purchase were placed in comparison with officers who obtained their commissions under the new system.

MR. MITCHELL HENRY pointed out that officers who were cashiered under this clause were guilty of a misdemeanour as well as of a military offence.

GENERAL SIR GEORGE BALFOUR quite admitted that the War Office and the Horse Guards had been guilty of a great want of judgment in dealing with many matters arising under the Royal Warrant on Purchase, and he had never ceased to protest against the injustice that had been done to many officers; but, at the same time, while deeply regretting the loss of the services of the gallant officer whose case had been mentioned, he could not support this Amendment. It would be impossible, after an officer had been tried, whether by a civil or criminal process or by court martial, for any offence which justified his exclusion from the Army, to entitle him by right, under this new clause, and to justify a vote to him of money from the public funds in payment of moneys invested in the lost commissions. This was a risk which any officer incurred on obtaining rank. It had often been put forward, as he thought, unreasonably, as an incentive to good behaviour; and therefore he hoped the Amendment would not be pressed to a division.

MR. MUNTZ hoped the hon. and gallant Member for Leitrim (Major O'Beirne) would not put the Committee to the trouble of walking through a division. He could not press his Amendment in view of the fact that the Crown had an absolute right to dismiss any of its servants—from the Prime Minister down to the lowest official.

MR. PARNELL said, the hon. and gallant Baronet the Member for Kincardineshire (Sir George Balfour) did not seem to understand that this was not a case of mitigation of punishment, but for equalization of punishment. An officer who purchased his commission was placed at a great disadvantage, when sentenced under the provisions of this clause, when compared with an officer who was appointed since the Royal Warrant; because, in addition to the penalty inflicted upon him by the sentence, he lost whatever sum he had previously paid for his commission.

THE O'CONOR DON said, this clause dealt with officers convicted of offences of such a character that Her Majesty did not think them fit persons to remain in her Service. The hon. and gallant Gentleman did not propose to interfere with the discretion of Her Majesty; but he did propose, on the other hand, that a man whom Her Majesty considered herself justified in removing from the public Service should be paid a large sum of money out of the public funds. Instead of there being a manifest injustice in not paying this money, he thought there would be a manifest wrong if it should be paid. Suppose a civil servant, entitled to a large pension, was brought before a civil tribunal and sentenced to imprisonment. As a result he would be dismissed from his post, and would lose his pension. If this Amendment were agreed to, such men ought to have their superannuation allowance continued to them.

Major O'BEIRNE said, the hon. Member for Roscommon (the O'Conor Don) either confused the case, or misunderstood the case altogether. This money paid by an officer for his commission was his private property, as much as an acre of land was the property of its owner. This money the Government had no right to touch, and it was guaranteed to the officers who had paid it by Act of Parliament. ["No, no!"] He knew there was a technicality, that if a man was dismissed from the Service he forfeited any money due to him; but he maintained that it was not equitable to have such a technicality in the Act.

Mr. BIGGAR thought the hon. Member for Roscommon had evaded the question at issue, and that the balance of the argument was entirely in favour of the hon. and gallant Member for Leitrim (Major O'Beirne). Let them take the case of two colonels, one of whom obtained his rank by purchase, and the other by promotion. If the latter were degraded, or dismissed, he simply lost his regimental rank; but if the same thing happened to the former, he not only lost his regimental rank, but the sum of money he had paid for that rank. Considering that there was unfairness in this inequality, he should vote with his hon. and gallant Friend.

Mr. PARNELL said, he did not know where the hon. Member for Roscommon had learned his logic. He told them that the case of a Civil servant who did not get his superannuation allowance when convicted of crime and turned out of the Service, was the same as that of an officer in Her Majesty's Service who did not get his purchase money when he was convicted under this clause and cashiered. Why, the circumstances were not at all the same. The Civil servant had not paid for his superannuation allowance out of his own pocket, out of his own private means; but the officer had paid for his rank on the understanding that he was to get the money back when he left the Service. The hon. Member for Roscommon would have made his position better if he could have shown that the Civil servant had paid for his superannuation allowance. The injustice was rendered all the more glaring by the fact that there were two classes of officers, and that one of them, besides being punished by civil and military tribunals, also lost his pay.

The O'CONOR DON said, when an officer purchased his commission, he purchased it on the understanding that if he was cashiered he would lose his money; and if he paid it on that understanding, he had no right to complain if he lost it; and as to the Civil servant, if he had not paid for his superannuation allowance, he had earned it by long and faithful service, and, according to his ideas, what a man had honestly earned was as much his as what he paid for.

Question put.

The Committee *divided:* — Ayes 8; Noes 345: Majority 337.—(Div. List, No. 76.)

Clause *agreed to.*

Clause 40 *agreed to.*

Clause 41 (Officers not to be sheriffs or mayors, &c.)

Mr. O'DONNELL proposed to amend the clause by extending the disability of commissioned officers of the Army to the acceptance of any civil employment under the Crown in all parts of Her Majesty's dominions. The special object he had in view was to prevent the injustice caused in India by the wholesale employment of commissioned officers in the Civil Service. While the Native Army in India had a very insufficient number of European officers, and there was a superfluity of members of the Civil Service entitled to promotion, innumerable posts in the Civil Service, including some of the most lucrative, were filled by military officers. It was admitted, by a large number of high authorities, that the Native regiments were almost inefficient from their lack of European officers, from four to seven being the allowance to each regiment. Throughout the North-West Provinces, in Scinde and in other districts, a great many military officers held posts in the Civil Service. Whatever might have been the original reason of their employment it did not now exist, while it admittedly hindered the promotion of the members of the Civil Service. Moreover, a wide door was opened to patronage and undue influence; and a young officer, within three years of his entering the Army, might be put in the enjoyment of a larger emolument than a Civil servant of 15 years' standing. The claims of military men to military promotion should be fully recognized; but there was no justification for their habitual appointment to Civil offices. It was injurious alike to the Army and to the Civil Service; it deprived the Army of useful officers; while, by retarding the promotion of Civil servants, it made the country guilty of a direct breach of its obligations to them. The present was an opportune occasion for remedying the grievance.

GENERAL SIR **GEORGE BALFOUR**, having been one of the Commissioners who framed the Regulations for organizing the Army in India, had some special knowledge of the subject. The Native Army was organized in accordance with express orders from England, which ordered the Government of India to reduce the former establishment of European officers of 27 in a Native Infantry regiment, and to allot to it a distinct number of officers—five in number. By this sweeping diminution, as he thought very mistakenly, there was an ample margin left to the Government for Civil employment. The hon. Member for Dungarvan (Mr. O'Donnell) was well up in Indian affairs; but he had failed to inform the Committee that it was only in the non-regulation Provinces, however, that military officers could be employed in the Civil Service. He would venture to point out that on many occasions the Government was forced to employ military officers, because of the want of civilians to fill offices; and he might take his own case in illustration of the manner in which these Civil appointments were made. At the close of the first war with China, without any solicitation on his part, and rather against his will, he was invited, and urged to become employed in a Civil situation. Moreover, India had been brought into a civilized state by military officers. After the many divisions of India had been overcome by military operations, it then became necessary to employ military officers to carry on the Civil duties of the localities. These were often dangerous, and invariably paid for at far lower rates of salaries than the regular Civil servants demanded. These useful military men, after having all the hard and difficult and ill-paid duties, were turned out to make places for the highly paid civilians. Then it was not just to speak of the increased military charges. It was not the military, but the Civil charges that now swallowed up the revenues of the country. He did not advocate the employment of military officers in Civil situations to the exclusion of civilians, because it was enough for them to be employed when the Government could not find Civil officers qualified or willing to do the work in their own profession; but he opposed the Amendment, on the ground that it would deprive the Government of a great number of useful servants in India.

MR. **GATHORNE HARDY** thought it inconvenient that, by means of an Amendment proposed without Notice in the middle of the Mutiny Bill, an hon. Member should seek to alter the whole system that prevailed in India. If the history of India were looked into, it would be found that some of the best officials that country had ever possessed had been military men. A question of this sort would be much better discussed when the whole policy pursued with regard to India was before the House.

MR. **PARNELL** thought the question raised by the hon. Member for Dungarvan (Mr. O'Donnell) was of considerable importance. It was necessary to remember that when military officers were first employed in the Civil administration of India, the country was in a very unsettled state, and that circumstances were now entirely different. Then, again, the Civil Service was not then so well supplied, as it now was, with the best ability of the country. The competition of Army officers with members of the Indian Civil Service he felt to be unfair; and it would have been better if the right hon. Gentleman had held out some hope to the Committee that the question would be considered by the Government at a future time. The course taken by the hon. Member for Dungarvan, in moving the Amendment, was almost the only mode in which a private Member could bring the subject under discussion.

MR. **O'DONNELL** said, the remarks of the Secretary of State for War had not touched the merits of his Amendment. There was a regular block of promotion amongst the Indian Civil servants—a class to whom the public credit was pledged that they should be promoted; while the block was caused by their posts being filled up by military men. The Amendment at once freed the Civil Service of India from unfair competition; restored military men to the Native Army, where they were so much wanted; and put an end to that system of patronage and influence which had been summarily abolished so far as the regular Civil Service was concerned.

Amendment *negatived.*

Clause *agreed to.*

Clauses 42 and 43 *agreed to.*

Clause 44 (When recruits to be taken before a justice).

Mr. O'DONNELL proposed to amend the clause, by making it necessary that recruits for the Militia as well as for the Army should be attested before a justice of the peace, and not, as now, before a commissioned officer only.

Mr. CAVENDISH BENTINCK explained that the clause as it stood conveniently carried out what had been the law for the last 100 years.

Mr. O'DONNELL could see no reason in the antiquity of the arrangement for the continuance of it. When a clause came down from a very great antiquity, the presumption was that it needed reform.

Mr. PARNELL said, it was evident that it was not thought necessary to have the same guarantee with regard to enlistment in the case of a Militia soldier as in that of a soldier in the Regular Army. But now that the Militia had been in so many respects assimilated to the Regular Army, it would be well to have the same guarantees in the one case as in the other.

Mr. GATHORNE HARDY did not think that it required the same consideration on the part of a Militia recruit as in that of enlistment for the Army.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 45 to 47, inclusive, *agreed to.*

Clause 48 (Attested recruits triable in some cases either before two justices or before a court martial).

Mr. O'DONNELL said, that the clause contained almost every possible error that could be concentrated into the same number of lines. It provided—

> "That any person who shall have been attested or enrolled in the regular army or reserves, and who shall afterwards be discovered to have given any wilfully false answer to any question directed to be put by the proper authorities, or shall have made any wilfully false statement in the declaration herein-before mentioned, shall be liable, at the discretion of the proper military authorities, to be proceeded against before the two justices."

It was evident that a person must first be accused before he could be "discovered" to have committed any offence. But, by the clause, the accusation was not to be made until after the discovery of what he had done; in other words, the man was first to be found guilty, and afterwards to be tried and sentenced. With great respect to Her Majesty's Government, he thought they would do best to give way, and allow the Amendment which he proposed—namely, in page 26, lines 36 and 37, to leave out "discovered to have," and insert "accused of having," in the clause.

Mr. CAVENDISH BENTINCK said, the clause was one aimed at fraudulent enlistment. It had been usual, in the first place, to have an inquiry before the commanding officer; and afterwards, if, in his opinion, it was necessary, to make a charge before the regular tribunal. He, therefore, saw no reason for altering the clause. If the Amendment were adopted, the clause would run to the effect that any person who should afterwards be accused of having made any wilfully false answer, should be liable to be proceeded against before two justices of the peace; and then sentenced for a crime which he had not committed. He thought the old form would be better than that suggested. For all practical purposes, there had been no miscarriages, although the clause had remained in the Act for a large number of years.

General Sir GEORGE BALFOUR thought that the tone adopted by the Judge Advocate General was calculated to excite hon. Members from Ireland to raise objections. He appealed to the Committee whether it was not a wrong thing to do. He blamed Irish Members for raising so many objections; but he did not at all wonder at it when such an insolent lecture as they had just listened to—["Order!"]

The CHAIRMAN: Order!

General Sir GEORGE BALFOUR: I apologize for that expression.

THE CHAIRMAN: I must call upon the hon. and gallant Gentleman to withdraw the word "insolent."

GENERAL SIR GEORGE BALFOUR said, he withdrew the word with great pleasure. If the Judge Advocate General had anything to say, let him rise in his place and say it. Was it consistent with the dignity of the House to have that right hon. Gentleman laughing and sneering in his place?

THE CHAIRMAN pointed out to the hon. and gallant Gentleman that he was diverging from the question before the Committee.

GENERAL SIR GEORGE BALFOUR pleaded that human nature was human nature, and said, it was impossible to avoid feeling indignant when he saw a right hon. Gentleman sitting on the front bench who did not observe that dignity which was right and proper. The paragraph of the Mutiny Bill was one of which he had complained previously; and it was disgraceful that the Act should be made up of such confused language as that clause exhibited. He appealed to the hon. Member for Dungarvan (Mr. O'Donnell) to pitch over all his Amendments, and allow them to be considered by the Select Committee.

MR. O'CONNOR POWER wished to point out that both the Judge Advocate General and the hon. Member for Dungarvan were in the wrong—the latter for having used the word "discovered" at the end of the clause, and the former for taking the frivolous objection to it he had done. For though no man could be discovered until first accused, tried, and found guilty, yet, so far as the accusation of error went, the Judge Advocate General was the more to blame for taking advantage of an obvious oversight.

MR. MITCHELL HENRY thought the clause very clear. If the words "accused of having" were substituted for the word "discovered," the benefit would be on the wrong side. What was intended by the clause as it stood, was that the offence was discovered when it first became known to individuals in the regiment, and it then rendered a man liable to punishment; but nothing was done unless the military authorities brought the charge before the proper tribunal. If the Amendment were adopted, a recruit would be in a very much worse position than at present.

MR. PARNELL said, the hon. Member for Galway (Mr. Mitchell Henry) had given a very curious interpretation of the word "discovered." It was as remarkable as his rendering of the word "confederate" as "a sharper."

MR. O'DONNELL felt that his Amendment was in the right direction, and would not withdraw it.

Amendment *negatived.*

MR. O'DONNELL said, his next Amendment raised an important question with regard to the trial of a recruit. He moved to omit from the clause that part of it by which recruits were tried by court martial. A soldier who was accused of an offence committed after he had become inured to military habits, was very properly handed over to a court martial for trial; but that did not apply to the case of a man who, while still an ordinary civilian, was accused, in the course of his enlistment, of making a false answer. Such a man ought, in consideration of his civil character, of which he had not yet divested himself, to be brought before a civil tribunal alone. He therefore proposed that if any person who had been attested should afterwards be accused of having made any false answer to any question, put by the proper authorities, he should be brought before two justices of the peace instead of the district court martial.

MR. GATHORNE HARDY said, the hon. Member for Dungarvan was, unfortunately, not so well acquainted with the offence as he was. In almost all cases it was not new men who gave false answers, but men who had been in the Army before, and they were the very men who required to be tried by a court martial.

Amendment *negatived.*

MR. O'DONNELL said, his next Amendment was to omit the words "purporting to be signed," as applied to the signature of a letter, by which, as provided in the clause, an officer might give evidence against a prisoner before a court martial, without personal attendance. In every case before a military or civil Court the signature of a letter should be proved, and it ought not to be sufficient to show that the signature "purported" only to be that of the alleged writer. He begged to move the omission from the clause of the words "purporting to be." If the

Amendment were agreed to, it would then be provided by the clause that any written evidence which might be adduced against a prisoner must be fortified by the real signature of the writer and not merely by what purported to be his signature.

Amendment proposed, in page 27, line 6, to leave out the words "purporting to be."—(*Mr. O'Donnell.*)

Question proposed, "That the words 'purporting to be' stand part of the Clause."

Mr. CAVENDISH BENTINCK said, the word "purporting" was almost invariably used in Acts of Parliament for the very same purpose for which it was employed in the clause. If some such word were not introduced, it would become necessary, in every instance in which a prisoner was tried before a court martial, to take positive evidence to prove that a particular document was not fictitious, and a great deal of unnecessary expense would, in consequence, be occasioned. An officer might, for instance, have to be brought from India or from some distant Colony in order to satisfy the Court that a signature purporting to be his was really his. He hoped, therefore, the Committee would see the expediency of leaving the clause as it stood. The authority of such documents had hitherto, so far as he was aware, never been questioned.

Mr. PARNELL said, the Amendment appeared to him to be a very reasonable one, and he should certainly vote for it, unless some better argument were adduced against it than he had heard from the Judge Advocate (Mr. Cavendish Bentinck.

Mr. O'CONNOR POWER said, he could not see the harm if the authenticity of those documents was, as had been stated, never questioned, why there should be any objection on the part of the Government to the omission of words which simply declared that a document purported to be a real, genuine document. Was it wise, he would ask, to invite persons to commit fraud and forgery, by the use of express words in an Act of Parliament? It was evident, from the course which they were now pursuing, that the policy by which the Government had been guided throughout the whole of the discussions on the Bill was that of not accepting even the most trifling verbal Amendment. He could, however, assure the Judge Advocate, who seemed to be hopelessly impenitent, that persistence in such a policy would only lead to a repetition of those discussions on future occasions.

Mr. M'CARTHY DOWNING said, it appeared to him somewhat extraordinary that a document which only purported to be genuine should be taken in evidence against a prisoner; and, although there might be inconvenience in bringing an officer from India or the Colonies to verify his signature, there could surely be no difficulty in providing that a document should be given in evidence under the seal of one of the great Public Departments. A letter properly signed by the proper officer, on behalf of the Admiralty, for instance, would admit of being very easily proved.

General SHUTE said, it would cost the country a small fortune if the signatures attached to documentary evidence had to be verified in the cases to which the clause related, and which were constantly coming under the consideration of courts martial. As matters stood, the courts had every reason to believe that the documents presented to them were *bonâ fide*, and, more than that, was, in his opinion, unnecessary.

Sir HENRY JAMES said, that if the signature of the commanding officer of a regiment or the captain of a ship were required to be proved on every occasion, the Committee might as well make provision in the clause for their personal attendance in the witness-box. That personal attendance, however, it would be impossible always to secure; so that, unless the words "purporting to be" were retained in the clause, the letters in question would be perfectly useless for the purposes of evidence, especially at out-lying stations.

Mr. O'DONNELL said, he should be surprised to see the Members of the Government going into the Lobby for the purpose of recording their emphatic support of the principle that a document "purporting" to come from a certain authority might be used as sufficient evidence, even for the purpose of hanging a man.

Sir HENRY HAVELOCK said, the retention of the words "purporting to be" would, in reality, have the effect of providing that very security which the hon. Member for Dungarvan (Mr. O'Donnell) seemed to think could only be attained by their omission; for, according to the practice before courts martial, there was always some officer in attendance who was called upon to prove that, so far as he knew, a particular document given in evidence was, in reality, signed by the persons by whom it purported to be signed.

MR. O'DONNELL said, the practice of courts martial in no respect altered the law; and that unless the words, of which he had moved the omission, were left out of the clause, a forged document might be admitted as evidence against a prisoner.

MR. MEREWETHER pointed out that in the case of depositions taken before a magistrate, the signature attached was taken to be genuine, unless it were proved to be a forgery.

SIR PATRICK O'BRIEN said, he, for one, was satisfied that the Government, who had such difficulty in obtaining recruits, would not prosecute a soldier before a court martial for the purpose of turning him out of the Army, unless they were tolerably certain that he had previously deserted. It was known that many men in the Army had enlisted and deserted four or five times; and, if the Amendment were adopted, it might be necessary to bring a commanding officer from Madras, another from Canada, a third from the Mauritius, and so on, to prove that a particular soldier had deserted from their regiments. The idea that a recruit would, in the circumstances, be subjected to anything like unfair treatment by Government, he regarded as a most remote probability. As hon. Members well knew, documents were every day produced in our Courts of Law to which the phrase "purporting to be" so and so was applicable.

MR. SULLIVAN said, it was quite true that documents were constantly taken in our Courts of Law to be what they purported to be; but then it would not do to roll them on the table of a Court; it must be specified that they had come from under some proper official custody.

MR. M'CARTHY DOWNING said, that if the Government were prepared to admit that it was necessary to produce a witness to prove that the handwriting of the particular officer from whom a letter put in in evidence was stated to have come, he saw no occasion for the Amendment.

Question put.

The Committee *divided*:—Ayes 165; Noes 14: Majority 151.—(Div. List, No. 77.)

Clauses 48 to 55, inclusive, *agreed to.*

Clause 56 (Enlistment of negroes).

MR. O'DONNELL moved, in page 31, line 31, to leave out from "and all negroes" to end of clause. A distinction was drawn between those negroes who had voluntarily enlisted, and those who were appointed to serve; and, therefore, under this system, public slavery was still acknowledged. In 5 *Geo.* IV., it was laid down—

> "Provided also, and be it enacted, that nothing in this Act shall prevent any slave or slaves being put on board any ship or vessel in order to be employed in Her Majesty's Service."

The note said, "slaves may be employed in military or naval service." This Clause 56 re-enacted slavery by providing that negroes should work at any work to which they might be appointed.

MR. GATHORNE HARDY remarked that the first part of this clause referred, as the hon. Member for Dungarvan said, to negroes in any part of the world who, of their own will, enlisted in Her Majesty's Service, and to that part he understood the hon. Member made no objection. The consequence of these men enlisting was very beneficial, because it made them British subjects at once, and so far from being injured they were benefited. The practice had now gone out of use; but, while it existed, these men had an opportunity of going into the Army and becoming free men.

MR. O'CONNOR POWER thought the right hon. Gentleman would have explained the words "voluntarily enlisted," and "appointed to serve."

MR. GATHORNE HARDY could assure the hon. Member that no such thing was known in the Army as pressing. The words had been used as they were in the original Act.

MR. PARNELL hoped the right hon. Gentleman would give an assurance that this subject should come before the Select Committee. If the clause remained as it stood, taken in connection with the Act of *Geo.* III., great suspicion was shown of connection with the slave trade. He always thought the English Government had taken great credit for freeing the slave; but he never knew until now that the price of their manumission was that they should enlist in the Army. Any man taken as a slave might be liable, under this clause, to serve in the West India regiment. He thought it right that these men should have an opportunity of serving in Her Majesty's Army; but it seemed to him unfair that recourse should be had to the system of pressing. He must take exception to the statement of the right hon. Gentleman that there were now very few captures of slaves, and that therefore this clause could operate in only a few cases. If even there were only a few, steps should be taken to remove the suspicion that any man was serving except of his own free will. This clause, as it stood, gave rise to an unpleasant suspicion against Her Majesty's Government. It showed that Her Majesty's Government in the past were simply in the habit of transferring slaves from one service to another.

Mr. GATHORNE HARDY: It was not merely a manumission. They were put in the position of natural-born British subjects.

Mr. O'DONNELL said, he had been looking through the Slave Trade Acts. It was not the Act of *Geo.* III., but the 15 *Geo.* IV., c. 113, that expressly authorized the pressing of captured slaves for the military and naval Services. It ran thus—

> "Provided also, and be it enacted, that nothing in this Act contained shall prevent any slave or slaves from being put on board any ship or vessel at the order of His Majesty's Commander-in-Chief either on sea or land in order to be employed in His Majesty's military or naval Service, and being in such Service so employed whenever and wheresoever the said Service may require."

These clauses referring to the Slave Trade Acts referred to slaves so put to service in His Majesty's Army. That was the difficulty in which the House was placed.

Mr. BIGGAR said, it seemed to him that it would be a wise thing for the Government to strike out the part of the clause suggested by the hon. Member for Dungarvan, for this reason—that if this Bill was unaltered in this present year of 1878, and if any historian or writer in this country wished to refer to dates in some future time, he would naturally, on looking at this clause as laid down here, conclude that the state of things was very different from what really existed. He would infer from what was laid down in the clause that slavery was still in existence in the British Army and Navy. In practice, it was very well-known now that England did not press negroes into the Army or Navy; but it might from this clause appear that such things were not only possible, but were still part of the common custom of the time. Another reason why the Bill should not be left as it stood was that really, after all, this part of the clause was practically obsolete, and should, therefore, be struck out.

Mr. M'CARTHY DOWNING said, he had looked at the commencement of the Act which the hon. Member for Dungarvan (Mr. O'Donnell) had quoted, and he found that it was repealed by the 37 & 38 *Vict.* c. 6.

Sir PATRICK O'BRIEN would ask whether the West India regiment was not voluntarily enlisted at Sierra Leone; and whether officers were not sent there and paid a capitation grant for recruits? At present, in the West India regiments there were no recruits except those voluntarily enlisted, either such as he described, who were enlisted at Sierra Leone, or the sons of negroes in the British West Indies.

Mr. GATHORNE HARDY believed that was so; but this Amendment would place them at a disadvantage, because the clause gave them the privileges of natural-born subjects.

Mr. O'CONNOR POWER suggested that, instead of the words "appointed to serve," they should retain only the words "voluntarily enlisted."

Sir HENRY HAVELOCK pointed out that those words would not equally well apply, because there might be men who were admitted into the Service in not quite a regular manner; and, if these words were struck out, they would no longer be entitled to the privileges of British subjects.

Mr. PARNELL wished to point out that the Act quoted by the hon. Member for Dungarvan did not specifically authorize "enlistment" or "appointment to serve" for these negroes. It merely provided that "nothing in this Act contained shall prevent" such appointment. It did not authorize their appointment; but their appointment was evidently authorized by a previous Act. He wanted to know whether the original Act authorized these "appointments to serve;" and, if not, by what Act it had been repealed? because it appeared to him to refer to some slaves who had been seized and condemned to serve. He wished to know whether it was still in the power of the Government to appoint slaves seized under the Slave Trade Acts to serve in the Regular Forces? That was a plain question; and if any Gentleman who understood the law would kindly give their attention to it for a moment they would be able, perhaps, to answer it.

MR. O'DONNELL wished to explain that the Secretary of State referred to the Act of *Geo.* III., by which these negroes were allowed to enter the Service. It was quite clear that merely to allow negroes to enter the Service would not be represented by the phrase "appointed to serve." Under the Act of *Geo.* IV. there was a clause where negroes were allowed to "enter the Service," and another clause by which they could be "appointed to serve." The Act by which they were appointed to serve originally might be repealed, but that was so much the worse for this clause; for this clause yearly, without being noticed, re-established that clause which was repealed. When the House repealed the 5th of *Geo.* IV. they repealed the clause by which negroes were appointed to serve; but, at the same time, continued from year to year another Act—the Mutiny Act—by which the repealed clause was re-established. Suppose there were two negroes, one willing to enter the Service and another not, the man who was disposed to enlist could enter the Service and would be entitled to the privileges of a British subject, while the other man who was appointed to serve would equally have the privileges of a British subject.

SIR HENRY JAMES said, the construction put upon this clause was totally incorrect. It did not give power to appoint a negro to serve, and if it was struck out injury would be done instead of good. It might be that there were some persons still in existence who entered the Service while this Act was in force; and if this clause were struck out, those persons would be placed in a worse position than those who had voluntarily enlisted.

MR. PARNELL did not quite agree with the right hon. Gentleman. He agreed with him on one point, and that was that to say that the continuation of this clause gave the power of appointment to serve was not correct. It was clear that it referred to power of appointment given by some previous Statute. He wanted to know whether that was so or not? It should be known and thoroughly understood whether this clause was obsolete or might not be obsolete. It was certainly of a character to be obsolete, and yet it was scarcely old enough to be obsolete. The Statute gave power to take negroes who were seized on board slavers by Her Majesty's ships and draft them into Her Majesty's ships. He wanted to know whether that Statute was still on the Statute Book or not? If it was, he would ask the right hon. Gentleman whether it ought not to be erased. Would it not be a proper thing to allow men still serving in the West India regiments to retire if they thought fit? [An hon. MEMBER: Question.] It was all very well to express their disapprobation; but if they had anything to say against the Amendment why did they not get up and say it? Why, a pig could express disapprobation. He wished to ask the right hon. Gentleman if he did not think it would be a proper thing, in case of negroes who had been forcibly enlisted in West India regiments, to allow them to retire? Perhaps the present representative of the law—the Judge Advocate General—would be able to throw light on the subject.

MR. GATHORNE HARDY believed it would be found that there was not the slightest occasion for the apprehensions expressed by hon. Gentlemen opposite.

MR. O'CONNOR POWER confessed that a great many of his difficulties had been dissipated by the discussion. As he now read the clause, it simply recognized that certain negroes were enlisted in the Regular Army, and in a regular manner "appointed to serve," its object being to confer upon such negroes the privileges attaching to soldiers who had voluntarily enlisted. That being so, would it not be better to say "who have been appointed?" The words "who shall be appointed" seemed to have a prospective meaning, and were, consequently, misleading. Under the circumstances, however, he did not think his hon. Friend need press the matter to a division.

Mr. O'DONNELL maintained that if the clause was purely retrospective, it was unnecessary. If negroes, by enlisting, became as natural-born subjects, it was quite impossible to accept the statement that the continuance of a clause of this kind was necessary in order to maintain them in that position. The clause, to have any meaning must, therefore, be prospective, and must contemplate the continued existence of persons seized and condemned as prizes under the Slave Trade Act, and "appointed to serve." He believed he should be fully justified in dividing the Committee on this question; but, under the circumstances, he should content himself by allowing the Amendment to be negatived.

Amendment *negatived.*

Clause *agreed to.*

Clause 57 (Apprentice enlisting to be liable to serve after the expiration of his apprenticeship. Claims of masters to apprentices).

Mr. O'DONNELL moved, in page 32, line 1, to leave out from the word "Scotland" to the end of the clause. The object of this Amendment was to free apprentices, who had enlisted and been returned to their masters, from the obligation to join the Army under pain of being treated as deserters, at the close of their apprenticeship. As it stood, the clause seemed to him cruel and unjust. An apprentice who had enlisted in a foolish freak, and who had been returned to his master, would become careless during the remainder of his apprenticeship, knowing that he would have to lead a soldier's life before settling down to his trade, and in order to avoid Service might cross the seas and become a vagabond. He begged to move his Amendment.

Amendment proposed, in page 32, line 1, to leave out from the word "Scotland" to the end of the Clause.—(*Mr. O'Donnell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. GATHORNE HARDY said, this was, no doubt, one of the oldest parts of the Bill. However, he was not prepared to alter it without notice. His attention had not been specially called to it, and he must have time to consider it.

Mr. O'Connor Power

Mr. M'CARTHY DOWNING hoped the clause would receive the right hon. Gentleman's attention. There was another portion of it even more objectionable than that to which the Amendment related. No master was to be entitled to claim an apprentice unless he made a declaration before a magistrate within a month. Again, any master who should give up all claim to his apprentice should be entitled to the bounty payable to that apprentice. That was an inducement to an employer to give up his apprentice. Altogether, the clause was most objectionable.

Mr. PARNELL did not think the right hon. Gentleman's reason for not accepting the Amendment a good one. He ought to have been acquainted with the various provisions of the Bill. The clause was no ordinary one. It distinctly placed both apprentices and masters at a disadvantage in regard to the War Office authorities. As regarded the apprentice this was obvious. The hardship to the master lay in the fact that an apprentice who went into the Army and was not discovered for a month could not be brought back. Military service was thus made a cover for the apprentice's misdemeanour of leaving his master. In view of these facts, he hoped the right hon. Gentleman would see his way to wiping the clause out of the Statute Book.

Sir HENRY HAVELOCK said, hon. Members had misapprehended the effect of the clause, which really operated to the advantage of the State—that was to say the public, and of the employer. If the clause were struck out, an apprentice who enlisted and then deserted from the Army would not be liable to re-capture and service, provided only he could evade justice till the period of his apprenticeship had expired.

Mr. M'CARTHY DOWNING remarked, that there was not a word said about desertion from beginning to end of the clause.

Question put.

The Committee *divided:*—Ayes 111; Noes 11: Majority 100.—(Div. List, No. 78.)

Clauses 61 to 65, inclusive, *agreed to.*

Clause 66 (Allowance to innkeepers).

MR. PARNELL called attention to the abuses of the system of billeting. He knew cases in which hotel-keepers were frequently subjected to great loss by the regulation that officers had not to pay for the use of their houses. It might be thought that the loss would more than be made up for by the amount of money which these officers spent in the hotels. But that was not the case; for those officers were in the habit of taking both their breakfast, lunch, and dinners at the general mess. He did not intend to move any Amendment, though he had moved one last year. It might be said that hotel-keepers would be induced by their patriotism to submit willingly to the loss caused by quartering these officers. But patriotism, he feared, was at present at a low ebb.

MR. CAVENDISH BENTINCK said, it had already been more than once stated that the whole Mutiny Act and the Articles of War would be brought under the review of the Committee. If he were a Member of the Committee, he would undertake that this clause should be brought under special review.

MR. WHITWELL asked if hotel-keepers, who felt the grievance inflicted by billeting, would be summoned as witnesses before this Committee?

MR. CAVENDISH BENTINCK said, that he could not undertake to control the proceedings of the Committee; but he had no doubt in his mind that hotel-keepers would not be examined.

Clause *agreed to.*

Clauses 67 to 96, inclusive, *agreed to.*

Clause 97 (Offences against former Mutiny Acts and Articles of War).

MR. PARNELL moved the rejection of the clause, on the ground that it would be perfectly monstrous to entrust any persons, not excepting men as intelligent as the general run of officers in Her Majesty's Service, with powers such as were described in the clause; which endorsed and confirmed the provisions of every Mutiny Act that had ever been passed within the memory of men now living. The clause would endorse the action taken from time to time by the East India Company, and everyone knew the trouble into which the proceedings of that Company got the country. It was much better to discuss questions of this kind in the House, than to relegate them to a Committee upstairs. He did not know whether he was likely to be a Member of that Committee; but if he was, he did not think he should be able to effect much, for on all such Committees the Government of the day always secured Members and witnesses of sufficient talent and ability to carry their own views. He would not divide the Committee if the Government would give an assurance that in the event of the Select Committee sitting this Session, the Mutiny Bill should be brought before the House at the commencement of the Session, so as to give a full opportunity for discussion.

MR. CAVENDISH BENTINCK protested against the practice of moving Amendments without Notice, a course for which, on the present occasion, there was not the slightest excuse.

GENERAL SIR GEORGE BALFOUR thought the clause was entirely unnecessary, as no crimes could be committed by European soldiers of the East India Company, for the simple reason that there were now no such soldiers in existence.

MR. GATHORNE HARDY said, he could give the strongest assurance that the next Mutiny Bill, after the completion of the inquiry which was to take place, should be most carefully drawn. At present, he saw no necessity for altering the terms of a measure which was perfectly well understood by those who had to administer it.

MR. O'DONNELL supported the Motion, on the ground that a Parliamentary majority had been deliberately misused in order to force a bad Bill through the House. He wished to know what was the number and the nature of the Acts of Parliament to which this clause had reference? He did not share that confidence in courts martial which many hon. Members reposed in them. It was well known that courts martial were especially liable to vindictive feelings, and that they were not provided with delicate apparatus for testing the evidence brought before them. Accused persons were deprived of nearly all the safeguards they possessed before civil tribunals. Yet the Committee were asked to allow a court martial to determine what might be pleaded by persons who were charged with having committed offences against previous Mutiny

Acts. They were now apparently on the verge of war, and did not know what pressure might be put on our civil population to enter the Army, and yet the Government asked the civil population to submit themselves to all kinds of unknown penalties. The Government had made use of their majority in the most mechanical manner, in order to push obsolete legislation through the House.

Mr. STACPOOLE denied that courts martial were vindictive. He had sat on many of them, and had always found that they treated prisoners with the greatest possible fairness.

Mr. BIGGAR wished to know whether the last speaker was of opinion that the decision of the Roberts' court martial was particularly impartial?

General Sir GEORGE BALFOUR doubted whether any case had been made out for a change in the clause, and he therefore appealed to hon. Members to allow it to pass.

Mr. STACPOOLE said, he was a witness in the Roberts' court martial, having been summoned by the prosecution. Everybody must, of course, bow to the decision of that court; but, at the same time, he must say he thought it was a wrong one. He suggested that a clause should be inserted in the Mutiny Bill, giving officers a right of appeal to the Court of Queen's Bench, or some other recognized tribunal.

Mr. PARNELL asked the Secretary of State for War, in the absence of the Chancellor of the Exchequer, whether, in the event of the Select Committee reporting before this Session closed, the Government would introduce the new Mutiny Bill next year at such a period of the Session that the principle and details of the measure might be fully discussed?

Mr. GATHORNE HARDY felt rather surprised at the hon. Member for Meath asking him for an engagement, after the slight which the hon. Gentleman had thrown on the engagement which, it was alleged, he had previously made. It was simply impossible for him to say when the new Mutiny Bill would be brought forward; but the safety of the hon. Member was in facts. The Government were most anxious every Session to get a Vote for the number of men to serve in the Army. Until that was done, they could not introduce the Mutiny Bill, because it was a measure which must be founded on the number of men. It was obvious, however, that the Government must necessarily take steps to have that Bill discussed when it was presented to the House in a new shape. He felt sure that no Mutiny Bill could be introduced, varying materially from the present one, without full opportunity being given for its discussion. In the course of his long Parliamentary experience, he did not remember the Mutiny Bill being discussed at all until last year. He promised the late Sir Colman O'Loghlen that, after the Mutiny Act was passed this year, a Select Committee should be appointed with a view to preparing a new measure for next year. The death of that right hon. and learned Gentleman made no difference whatever in his intention in this respect. The Committee would meet shortly, and he was anxious that it should be a representative Committee. At present, he had taken no part in selecting the names; but if the hon. Member for Meath was to represent those who had taken an active part in opposing this Bill, he should offer no objection to him. He did not wish to refer to what had occurred in this discussion. It was now nearly at an end, and he trusted that all present would finish it in good humour.

Clause *agreed to.*

Remaining clauses *agreed to.*

Mr. PARNELL moved, after Clause 16, to insert the following Clause:—

(Limitation as to commutation of death sentence.)

"In all cases where the punishment of death shall have been commuted to a term of penal servitude the offender shall be allowed the period of one month to deliberate whether he will accept such commutation; and if within such period the offender shall signify in writing his objection to such commutation the original sentence shall take effect."

Last Session he moved a Resolution asking that a Royal Commission should be appointed to inquire into the discipline and management of convict establishments, and proposing also that there should be a periodical inspection of such establishments. The Home Secretary promised that the Commission appointed to investigate the treatment of prisoners in the gaols which were brought under the operation of the Prisons Act, should extend their inquiry to convict prisons. The Commissioners had already commenced their sittings; but, judging from the speed with which they conducted their inquiry, it could not be hoped that the result would be of any value in securing better treatment to prisoners in convict establishments. The Penal Servitude Acts gave no facilities for an independent inspection of convict establishments. Considerable facility was given for independent inspection in the county and borough gaols; and therefore he had omitted from the operation of his new clause sentences of imprisonment which would, in all probability, be passed in one or other of those gaols. In convict prisons, on the other hand, there was no provision whatever for independent inspection. The Rules and Regulations as to the treatment of prisoners in county gaols were also very fully laid down in the Prisons Act of 1865 and in the Act of last Session, by which the prisons were transferred from the control of the Justices of Quarter Sessions to the management of the Home Secretary. But when the Acts which governed convict prisons were passed, the Legislature was by no means alive to the necessity of procuring a just and proper treatment of prisoners in these establishments, and the treatment of such prisoners was left, in a sort of happy-go-lucky way, to the caprice or good-will of the warders and Governors. He had carefully investigated the conduct of these convict establishments; and if there were time for him to go into a number of instances, he felt sure he should convince the Committee that it was a mistake to hand over to courts martial the power of inflicting long sentences of penal servitude for trivial offences. But as it had done so, it became necessary for him to ameliorate the provision as much as he possibly could. When they considered the circumstances attendant on a life-long sentence of penal servitude, he was sure there was no man who, finding himself face to face with such a sentence, would not wish himself dead rather than endure it. There was a considerable difference between allowing a man to escape his sentence of penal servitude by asking to be executed, and giving him the option of submitting to his original punishment. He was sure every soldier in that House would agree with him that a brave man, who had, perhaps, been through many campaigns, and had even, perhaps, been wounded, condemned for an offence involving no moral wrong, but which he admitted must be severely punished, would infinitely prefer death at the rifles of his comrades to bearing the life-long degradation and torture of penal servitude. The Devon Commission and the death of Serjeant M'Carthy furnished ample evidence that the discipline of these Convict Establishments was of the most inhuman character. All Ireland was shocked at the death of M'Carthy. He was sentenced to death under this Mutiny Act, but his sentence was commuted to penal servitude. He suffered for 10 years, was pardoned by the mercy of the Crown, and a fortnight after dropped dead before his (Mr. Parnell's) very eyes. The scene made an impression on him which he would not soon forget. When he saw the man of 40, who looked 70, tottering to the grave and in the agonies of death, he could not help asking himself whether it would not be better to give a man like that, who had proved he was not afraid of death, the opportunity of dying like a soldier, rather than of being done to death in a convict prison? M'Carthy himself had declared that he would have infinitely preferred being shot to his 10 years' associating with murderers, thieves, and daring criminals of the worst character. [The hon. Member then read extracts from a letter written to him by M'Carthy while in prison, in which he complained that they were subjected to such systematic annoyance that he was convinced their lives were aimed at.] Such treatment could only end in death. He was stripped twice a-week, and made to stand on the cold flags in perfect nudity, while every afternoon his cell was thrown into complete disorder by the officer appointed to visit it in order to annoy him. Since April, 1876, he had been stripped 76 times, and the contents of his cell dealt with 438 times. This case of M'Carthy's had made a great impression on the Irish people and the Irish Members, and therefore he made no apology for bringing the subject before the House.

MR. SULLIVAN said, it might seem a strange proposition that a man ought to be allowed the option of denying the exercise of the Prerogative of the

Crown; but he thought if the House and the public would consider for one moment, they would see that men with a soldierly spirit would infinitely prefer to fall before the rifles of their comrades to undergoing the horrors, the moral degradation, and slow physical torture, involved in a sentence of penal servitude as carried out in this country—at any rate, there could be no harm in allowing the man whose life was at stake to say whether or not the mitigation of his sentence would be a mercy to him. But, perhaps, the right hon. Gentleman would rely—as he was entitled to rely—on the recent discovery, which must be of momentous importance to medical science of a new specific for heart disease—namely, penal servitude. But he could not joke upon a subject so ghastly, upon this insult to the manhood of Christendom, perpetrated by a member of a most noble and humane Profession. Would the right hon. Gentleman communicate to the Medical Schools of Europe this grand discovery of their medical "confederate?" The name of this Mr. Pitman ought to go down to posterity as the author of this remarkable discovery. Other medical men had thought that the tranquillity of domestic society, the companionship of wife and child, the peace of home, and the gentle kindness of friends, might be good for certain stages of heart disease; but this man had dared to call tranquillity the daily torture, the hourly hell, that was suffered in these convict prisons. He had dared to call a tranquillity good for disease of the heart, the agony of the father denied the sight of his little ones, and sundered from the woman he loved. He was ashamed to be the fellow-citizen of such a man. He should vote for this Motion, because soldiers had told him what they would have done had they been allowed to choose. He knew, from his own experience, the way in which warders sometimes treated soldiers. When he was on the Dublin Prison Board, a soldier was brought before them. He had been confined in the prison for some military offence. One of the warders, as he expressed it, was "down on him," and one day stripped him naked, on the pretence that he had tobacco concealed about him. At last, the soldier, irritated beyond measure at this treatment, struck the warder in the face. The warder then called one or two others, the three got the soldier down, and battered him about the face with their heavy keys, till they nearly gouged his eye out. The Board decided that the warder must be punished very severely; and while a minority voted for dismissing him, the majority voted that never again should he be entrusted with the custody of prisoners. He voted with the minority; because, as he told his friends at the time, they could never tell that the man might not be promoted by the Governor of Dublin Castle. The warder was put into the kitchen. What happened? A few years ago he was chosen, despite the protests of the Board of Superintendents, to be chief warder of that very prison. [*Cries of* "Shame!"] He would take up the word, and himself say—"Shame on those who could do such an act!" The names, dates, and particulars were at the service of the Government, and he hoped they would investigate the case.

Mr. MITCHELL HENRY said, he should not be able to vote for this clause; but he presumed his hon. Friend would scarcely press it to a division. At the same time, it was absolutely necessary, in season and out of season, conveniently or inconveniently to the House, to seize every opportunity of bringing forward the treatment of prisoners in convict prisons—which, at the present time, notwithstanding Commissions and Investigations and Reports, was a disgrace to this country, or to any country calling itself civilized. There was another circumstance to which he would refer, inasmuch as his hon. and learned Friend had spoken of the gross outrage committed by a gaoler upon a prisoner—a soldier—and the subsequent promotion of that inhuman being, apparently because he was well suited to the duty. He should bring before the House of Commons the fate of a medical man, who, being attached to a convict prison, was witness of the grossly inhuman cruelties to which the prisoners were subjected, and who for remonstrating was dismissed from employment, and his office was then abolished. He alluded to Dr. Robert Macdonald, one of the most eminent physicians in Dublin, the President of the College of Surgeons. He was in the habit of visiting the convict prisons, which were also under an inspection of a Government official. Dr. Robert Macdonald, on going one day into one of the prisons, saw a miserable object, scantily clad, sitting in a corner shivering with his hands between his knees, and evidently in a state of actual bodily and mental suffering. He went up to the man and asked him what was the matter with him? The man was, with difficulty, able to articulate; but he gathered from him that for some breach of discipline his bedding had been taken away from him night after night, and that he had been thus reduced to the miserable condition in which he was found. Dr. Robert Macdonald instantly ordered something to be done for the man, and when the order was obeyed there was a difficulty in getting the man into bed. His interference was immediately reported to the authorities, and caused strong remonstrances for his presumption in daring to interfere with the punishments that were ordered in the prison. Subsequently, the Government abolished his office, and did all they could to prevent the inquiry which certainly ought to have taken place. Those facts would yet come before the House of Commons in a more specific way. But it was well for the House to have some inkling of what was before them with reference to his Motion. The prisons of this country were at that moment a disgrace to civilized beings; and when the case of M'Carthy was investigated, it would be found that the sham inquiry and miserable Report that had been presented to the House would not shelter the discipline of the prisons from the proper censure of all those who had consciences to be pricked by the abuse of the laws under which they lived.

MR. GATHORNE HARDY: There is a little inconvenience in the course taken by hon. Members in bringing forward cases which may happen to be known to themselves, but with regard to which we have no information, and about which, as I understand, it is the intention of hon. Members to take the opinion of the House. That, of course, will be upon due Notice, and will enable the Home Secretary to make the necessary inquiries and to give the explanations that the House has a right to expect. It is of no use to bring forward isolated cases upon a Motion of the sort made by the hon. Member as a sample of what is done throughout the gaols of the country. There are a great many Members who have taken, I dare say, as great an interest in the convict prisons of this country as any of the hon. Members who have spoken, and who have not come across those grievous cases. Every man who becomes a Member of the Government, or who gets into an official capacity, does not lose heart and feeling, as seems to have been assumed in the remarks made. The hon. Member has just spoken as if it were only necessary for a man to be the official of a gaol to be shielded by every other official, and as if the official superior was disposed to advocate the cruelties of those who are under him. That is a representation of the official character in this country which is wholly undeserved. Discussions in the House and the Acts passed testify to a gradual amelioration in the condition of prisoners. There has been an amelioration of punishment also, which no one can deny, and the association of which complaint has been made, has been abolished, except so far as it is inevitable when prisoners are employed together on public works. In their cells the prisoners now enjoy comforts, which in former days and within the recollection of the older Members of this House, would have been looked upon as luxuries. There is a disinclination to treat prisoners now in the manner in which they were treated in former times; but punishment must be punishment, and must be made corrective and disciplinary. You cannot commit prisoners to prison for offences, and then treat them as if they had committed no crime. But I think that offences, so far as possible, should be classified, so that those who had committed crimes of what we may call a disgraceful character should be kept in a different condition from the rest. The world is not large enough for us with all our criminals to carry the system of isolation so far as we could desire; but the great object is to prevent those hardened in crime from becoming instructors to those less criminal than themselves. It should be remembered that no man can claim a right to punish himself. The choice of punishment must rest not with the criminal, but in the hands of those who administered the law. We condemn suicide as a crime; but by this clause we should put into the power of a man to commit it when he went into prison. Nay, more, for the Motion would force upon some warder or other servant of the State the duty of assisting the criminal in this murder of himself. If, before a jury, a man charged with murder were suspected to be insane, there is a general eagerness, even on the slightest evidence, to acquit him on the ground of his insanity; but here you are asked to hang a man in spite of his insanity, if he chooses to die. The proposition is hardly to be treated with serious consideration, and is calculated to thwart the commendable and humane efforts of hon. Members in which, if they would carry the House and the country with them, the punishment proposed must be humane, while it is just and even severe.

MR. O'CONNOR POWER observed, that the hon. Member for Meath (Mr. Parnell) had secured an amount of attention to the question involved which, perhaps, he could not have obtained by any other means than by placing the Amendment on the Paper. It was necessary to bring the subject of the inhumanities committed in prisons again and again before the attention of the House, until the Government was forced to take the matter up. It was surprising how often attention had been drawn to abuses and to cruelties, and yet how persistently the Government assured them that everything was going on smoothly. That some of the punishments in the Mutiny Acts needed revision had been admitted, and he hoped it would be done in a spirit of reducing punishment to a minimum. The exact and proper measure of punishment in each particular case could hardly be expected to be awarded; but there ought to be a distinction between the treatment of prisoners confined for heinous crimes and those punished for offences to which no moral stigma attached. There was no civilized country on the globe where a distinct political offence caused a moral stigma; and they had only to turn back to their own history to see how the Constitution had been built up by the blood of political prisoners who had risked the displeasure of Governments in the assertion of the rights of the English people.

Clause *negatived.*

MR. PARNELL moved, in page 14, after Clause 27, insert the following Clause:—

Mr. Gathorne Hardy

(Rules as to infliction of solitary confinement.)

"No solitary confinement shall be inflicted upon any prisoner as a consequence of the sentence of a general, garrison, district, regimental, or detachment court-martial, except in accordance with such rules and regulations as to dietary and treatment, and the method of inflicting such solitary confinement, as may be framed from time to time by one of Her Majesty's Principal Secretaries of State for the regulation of the method of carrying out such sentences of solitary confinement in the prisons and convict establishments under his jurisdiction: Provided always, That such rules and regulations shall not take effect until the same shall have been laid before both Houses of Parliament for forty days."

On a previous occasion, the right hon. Gentleman was good enough to say that he had had a communication from Sir Edmund Du Cane, stating that solitary confinement of military prisoners was different from that inflicted for breach of prison rules. Of course, that statement was, to a certain extent, satisfactory; but it was desirable to know the nature of the solitary confinement inflicted upon military prisoners. The Prisons Act of 1875 gave the justices power to frame rules for regulating the prisons; but the Prisons Act of last Session transferred the power to the Secretary of State for the Home Department. The rules sanctioned by him as to the treatment of prisoners had been laid upon the Table of the House; but the right hon. Gentleman had omitted any reference to the treatment of prisoners undergoing solitary confinement—military or otherwise—and that was an omission which it was desirable should be rectified. The county and borough gaols had been placed under the jurisdiction of the Home Secretary last year, and he desired that rules should be laid on the Table of the House regulating the manner in which solitary confinement was to be inflicted on prisoners sentenced at courts martial. The Home Secretary ought also to make Rules as to the infliction of solitary confinement on persons confined in military prisons. He wished—first, that rules and regulations should be framed for the treatment of military prisoners sentenced to solitary confinement in borough and county prisons; next, that the rules should be extended to soldiers confined in military prisons; and lastly, that regulations should be framed with regard to military prisoners confined solitarily in convict establishments. Of course, there were many prisons in the Colonies and other places over which the Home Secretary had no jurisdiction; but this clause was framed in such a way as to provide that where solitary confinement was inflicted at all on soldiers, no matter in what prison, so long as it was within the Home Secretary's jurisdiction, rules and regulations framed by the Home Secretary should be laid on the Table of the House for 40 days before they should take effect.

New Clause—(*Mr. Parnell,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. ASSHETON CROSS said, he could only repeat what he believed had been stated in the discussion of a few days previously, that the old solitary confinement had practically disappeared, and was not in force. [Mr. PARNELL dissented.] Well, the hon. Gentleman would allow him to speak as to his own knowledge; in all convict prisons solitary confinement had practically ceased to exist. [Mr. PARNELL: For all prisoners?] Yes, unless they were sentenced to it in the prisons for breaches of the prison rules. The order had been given under which solitary confinement and separate confinement would be practically the same; and, therefore, he hoped the Amendment would be withdrawn.

MR. MITCHELL HENRY asked whether the right hon. Gentleman abolished the system of solitary confinement they already knew, to make a new system of solitary confinement of which they knew nothing? The House was totally unacquainted with the separate system. The Amendment was a reasonable one, and would not interfere with the passage of the Mutiny Bill; it would, in fact, be a very proper and desirable thing that a termination to this discussion should not be come to until the House and the country knew that the rules and regulations relating to the punishment would be placed on the Table of the House, and be accessible to every Member. If the right hon. Gentleman had satisfied himself as to the rules under which separate confinement was to be carried out, would he explain to the Committee what that separate confinement was? He confessed he entertained grave doubts whether the right hon. Gentleman was thoroughly informed upon the matter; and there could certainly be no harm in laying rules on the Table, so that they might be examined by the House and the country, who would then know what the punishment really was that was being inflicted. It was in vain for the right hon. Gentleman to say that he had communicated with the Director or Inspector of Convict Prisons, and put an end to the system of solitary confinement. Surely, the right hon. Gentleman, who was as anxious to act humanely as anybody else, would find no difficulty in the course suggested; but if that proposal were not entertained, it would be difficult to come to any other conclusion than that it was not the intention of Her Majesty's Government to allow the infliction of punishment in a regular and methodical manner; but subject to the variations brought in by the warders, submanagers, managers, and eventually the Director or Inspector of Convict Prisons. He trusted the Amendment would be pressed to a division.

MR. SULLIVAN hoped that if a division were taken on the question, Members of the Government would not think such a course involved any imputation on their personal want of feeling or good faith. He was sorry to hear the Secretary of State for War, some time ago, make some observations which showed that the right hon. Gentleman had thoroughly misconceived his argument. He was quite sure the right hon. Gentleman would not for a moment misrepresent him or anyone else consciously; but the right hon. Gentleman seemed to think he had said that the moment a man became a Member of the Government, he ceased to have a good heart. He should argue nothing of the kind. If he believed Members of the Government to be capable of cruelty or want of good faith, he should be sorry to speak of them as he tried to do in the House. On the contrary, he believed them to be Gentlemen of the most kindly feeling; but to no individual in that House would he entrust powers in this matter that could be handed down to their Successors in the guidance of the affairs of the State. It was not because of their opinion as to the present holders of office or of the Home Secretary, as to whose kindness he had had personal experience, that the Irish Members asked that the intentions of the Government in this matter—which he believed to be good and honest intentions—should be embodied and placed on the Table of the House; but it was in order that those regulations might survive the shock of Parties and the changes of the House.

Mr. BIGGAR wished to correct one remark he had made. He had stated that one set of officers always supported another; but that was not the invariable rule, though it was so in many cases. He wished to remind the Home Secretary that, though that right hon. Gentleman might be in favour of a mild system of prison treatment, it was unfortunately the case that a great many officers of prisons very often carried out prison punishments in a very different manner from what was intended by the Acts of Parliament and rules under which they effected their operations. He remembered once while the Prisons Bill was under discussion in the House during last Session, an hon. Member, who was Chairman of a Court of Quarter Sessions, said it did not make much difference what laws were passed in Parliament — it depended very much upon their administration. He would like to see the prison rules laid before Parliament, so that there would be some check on the prison officers carrying out the system of punishments exactly in accordance with their own views.

Mr. PARNELL was at a loss to know why the Home Secretary refused this very reasonable concession. If solitary confinement had been abolished, and separate confinement substituted for it in cases of breach of prison discipline, the House had a right to know why such a step had been taken. Had the Home Secretary some fear that there would be a revulsion of feeling if the nature of this separate confinement were known? It had been represented as being of a mild character; but if it were so, why could there be any objection to state its nature in the Rules to be laid before the House? Whenever the Mutiny Bill was brought before the House, he should raise this question, and he intended now to divide the House upon it.

Mr. ASSHETON CROSS said, there was no necessity for any rules, so far as convict prisons were concerned, to be prepared and submitted to Parliament. The matter was managed by the Home Office, according to the regular practice. The rules as to borough and county prisons under the Prisons Act, were quite a separate matter. Solitary confinement was practically unknown, and an order had been issued, making separate confinement a punishment for gaol offences. If a man were ordered to be confined in a separate cell for a period which was limited by the Act, he would be visited every hour, he believed, by the gaoler throughout the day. [Mr. Parnell: And night?] Yes. In cases of ordinary imprisonment, there was no such thing known as solitary confinement.

Mr. O'SHAUGHNESSY thought there could surely be no objection to let Parliament know what the nature of the punishment of separate confinement was. As it appeared, from the Home Secretary's statement, that he had found it necessary to issue a Minute to the authorities of convict prisons, defining what the punishment was to be, he suggested that the Home Secretary should lay a copy of the Minute or Instructions he had found necessary to prepare before Parliament. That would satisfy the Irish Members for the present.

Mr. MITCHELL HENRY had understood not that a Minute had been issued, but that the Instructions had been given to the Director of Convict Prisons to make a change in relation to punishments; but, surely if it had been found necessary to make an alteration, in consequence of a conversation between the Home Secretary and the official, the House ought to be made aware of the substance of that discussion. If, however a Minute had been issued, it ought to be laid before Parliament; for the House would not be satisfied with the merely verbal directions given to the Director of Convict Prisons, for verbal directions could be altered the next day.

Mr. O'CONNOR POWER understood the Home Secretary to say that solitary confinement did not exist; and he believed that the separate system of confinement, which, according to the Home Secretary, still obtained in borough and county prisons, had been held by competent medical authorities to be a greater punishment than one could endure for the shortest period of penal servitude that anyone confined in those gaols could still be sentenced to. But how could the statement that solitary confinement in convict prisons was abolished, be reconciled with the provisions in the Bill by which courts martial could still award it?

Question put.

The Committee *divided*:—Ayes 51; Noes 193: Majority 142.—(Div. List, No. 79.)

Mr. PARNELL said, as his clause had been rejected, he hoped the Home Secretary would agree to lay the Rules on the Table of the House, regulating the infliction of solitary confinement in such a way as the right hon. Gentleman might think necessary. All he and his hon. Friends desired was to know how this question would be dealt with by the rules. He was quite willing to leave the matter to be arranged by the right hon. Gentleman. In order to put himself in Order, he would move that the Chairman be ordered to report Progress, and ask leave to sit again.

Mr. MITCHELL HENRY seconded the Motion of his hon. Friend for the purpose of asking the Secretary of State for the Home Department whether he was not correct in attributing to the right hon. Gentleman the statement made last year, to the effect that he would lay on the Table the rules relating to punishments in convict prisons? That was a point which required to be cleared up. The management of county prisons had been taken out of the hands of the representatives of the people, and had been entrusted to the Secretary of State. The rules relating to those prisons had been laid on the Table by the right hon. Gentleman; but the prisons which required overhauling were the Government-conducted prisons; and unless the right hon. Gentleman (Mr. Cross) would give some assurance, similar to that given by him last year, that the rules of these establishments, also, would be presented to Parliament for the purpose of acquainting the country with the nature of the punishment inflicted there, the subject must be brought under the consideration of the House in every permissible form. He could not imagine that any Government in this country would wish—certainly, the people did not wish—that the punishment to which these prisoners were subjected should be of an unknown character. The Committee and the country ought to be informed what a criminal had to endure in convict prisons, as they had already been informed what a prisoner had to submit to when confined in a borough or county gaol. He believed that this was a reasonable suggestion, and, if embodied in the form of a Motion, it would receive the unanimous consent, at any rate, of the Liberal Party.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

Mr. ASSHETON CROSS did not think it was a question for the Liberal Party, or for any other Party; but it was one in which everybody was equally concerned. The hon. Gentleman (Mr. O'Connor Power) would do well to remember that a Committee was sitting on this subject; and he would suggest that the hon. Member had better wait and hear its Report, before he took any step in the matter.

Mr. O'CONNOR POWER said, it was in the right hon. Gentleman's power to communicate the nature of these rules to the Committee; and, for his part, he really could not see what possible objection there could be to such a course. The request was a modest one, and he hoped, if the Chairman reported Progress, the right hon. Gentleman would assent to so reasonable a suggestion.

Mr. PARNELL considered that it was exceedingly unreasonable, on the part of the Home Secretary, not to accede to so reasonable a request.

Question put.

The Committee *divided*: — Ayes 11; Noes 225: Majority 214.—(Div. List, No. 80.)

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. O'Connor Power.*)

Motion *negatived.*

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

The CHANCELLOR of the EXCHEQUER wanted to know what was the meaning of this proceeding on the part of the hon. Gentleman opposite below the Gangway. This Bill had been discussed at very great length in three full Sittings of the House, and certainly with a very large amount of patience and attention. He did not wish to raise any complaint of the unusually minute criticisms to which the Bill had been subjected in Committee; but now every part of the Bill had been passed excepting the Schedule, upon which he did not understand any question was raised. Still, for some reason or other, which had not been explained, and which no one could divine—first, the hon. Gentleman opposite (Mr. O'Connor Power) moved to report Progress, which proposal had been negatived by a majority of more than 20 to 1, and then that was immediately followed by similar Motions. It was hardly respectful to the House that such Motions as these should be made. There was no reason to be given for them; and he did trust that hon. Gentlemen would see, on reflection, that Business could not be properly conducted in that way.

Mr. O'CONNOR POWER, having moved that the Chairman leave the Chair, desired to say a word with reference to what had fallen from the Chancellor of the Exchequer. The right hon. Gentleman had said that that Motion had been made without reason; but the fact was, that there was a clear and distinct reason for it. His object in making it was to place on record his emphatic protest against the manner in which the Home Secretary had received the request with reference to these rules; also against the manner in which the Bill had been introduced into, and carried through, Committee, which he considered was not respectful to the Committee. The manner in which it had been introduced into Committee was not respectful; because the Secretary of State for War had, from the very beginning, shown that he would not allow a single verbal alteration to be made in any part of the measure, no matter what arguments were brought forward. He asked anyone, who had sat throughout the three Sittings, and who had heard the arguments advanced in favour of alterations in the Bill, to say whether the conduct of the Government was respectful to the Committee. The Government had said, as distinctly as any dictators could possibly say—"Here is the Bill, the whole Bill; and you must have it, whether you like it or not. No matter what arguments you bring forward, we will not alter a line, word, or syllable." He thought, with all respect for the right hon. Gentleman the Chancellor of the Exchequer—and no one in the House respected him more—that the Government had not treated the Committee in the respectful manner which they called upon others to show.

Mr. GATHORNE HARDY said, that he should merely answer the remarks which the hon. Member had addressed at him (Mr. Hardy), he supposed for the mode in which the Bill had been introduced, by saying that he had not had either the means or the power to carry it in the way the hon. Member supposed. It had been carried by the Committee itself, by overwhelming majorities. He entirely dissented from the view that the hon. Member and his Friends represented the Committee. In one division the numbers had been 345 to 8. When he had that support he could not have been doing very wrong.

The Marquess of HARTINGTON wished to point out to the hon. Member for Mayo (Mr. O'Connor Power), that his object would not be attained by putting the Committee to the trouble of a division. The complaint was one made and discussed at considerable length during the consideration of the Bill, and what he (the Marquess of Hartington) wished to point out was that the hon. Member and his Friends would place nothing on record by the division they were asking for. A division on reporting Progress, when nothing was to be considered except the Schedule, would place nothing whatever on record—it was simply placing the Committee in a position of very great inconvenience, and very unnecessarily taking up the time of the Committee—compelling the Committee to divide on a question which decided nothing.

Mr. PARNELL did not desire to put the Committee to the trouble of another division; but the action of the Home Secretary in refusing the very reasonable request made to him to lay a set of rules on the Table of the House had compelled him to make a protest. The Bill might be made the instrument for inflicting cruel and inhuman punishments on the soldiers whom they might in a few days have to call upon to defend their interests in the East, MR. O'DONNELL said, that the manner in which the Government had treated the arguments brought forward would cause great dissatisfaction. The hon. Member was proceeding to refer to public opinion in Ireland, when——

THE CHAIRMAN said, it was out of Order, on the Question before the Committee, to adduce a discursive series of observations on the present relations of the Government with Ireland.

Motion *negatived.*

On Question, "That the Schedule stand part of the Bill?"

MR. O'DONNELL moved that the Chairman do now leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair." (*Mr. O'Donnell.*)

MR. PARNELL hoped his hon. Friend would not press the Motion.

MR. O'DONNELL was certainly not disposed to put the Committee to the trouble of a division. They were not receiving from the opposite Benches one of those messages of peace which they desired, yet the Government desired all concessions from them. [MR. BIGGAR: Hear, hear!] He begged to withdraw the Motion.

Motion, by leave, *withdrawn.*

Schedule and Preamble *agreed to.*

Bill *reported,* without Amendment; to be read the third time *To-morrow,* at Two of the clock.

SUPPLY.—COMMITTEE.

Order for Committee read.

THE CHANCELLOR OF THE EXCHEQUER: I do not know whether the House will allow us to go into Committee and take a Vote on Account; but it is necessary for the public service that we should get a Vote of money. I am sorry to say we shall be obliged to ask the House to meet at 2 o'clock to-day. It really is not our fault. I move that you do now, Sir, leave the Chair.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE EASTERN QUESTION—THE RESERVE FORCES.—OBSERVATIONS.

THE MARQUESS OF HARTINGTON: Perhaps the Chancellor of the Exchequer, or some Member of the Government, will be able to take this opportunity of giving the House some information with reference to a statement which it is understood has been made in "another place." I understood it has been announced that it is the intention of Her Majesty's Government to advise Her Majesty to avail herself of powers which She possesses under certain recent Acts of Parliament, and to avail Herself of the services of the Reserve Forces. Sir, it is not, I think, very generally understood whether that statement applies to all the Reserve Forces, or only to a certain portion of them; and I think that it would be desirable that this House should be informed, with the least possible delay, whether it is the intention of the Government to advise the immediate embodiment of the Militia, or only to call out the Army and Militia Reserves? Perhaps, also, the Government will be able to state to the House what course it is intended to take in Parliament with regard to these measures? I believe it was announced that a Message would shortly be delivered to Parliament bearing on this subject. It might be convenient to the House if we were informed on what day it is probable that that Message will be presented.

MR. GATHORNE HARDY: As the subject to which the noble Lord has referred belongs rather to the Department I represent, I would inform him that under the Acts alluded to it is necessary, on calling out the First-Class Army Reserve, and the Militia Reserve, that a communication should be made to Parliament, if Parliament is sitting. On that communication being made, a Proclamation should be issued, calling out the whole, or such part of the Reserves as may be needed. That course is to be adopted. The communication to Parliament will probably be made on Monday next; but I am not able to state the exact day. That, of course, would be followed by a Proclamation in the terms I have mentioned. This will not affect the question of the embodiment of the Militia, which is subject to altogether different rules, nor will it have the result of calling out the Militia for training. It will simply put Her Majesty in a position to use the Reserves for filling up Her Regular Forces, for which they were intended.

Mr. DILLWYN asked that the Government, in taking the Vote on Account, should give some assurance that an opportunity would be given for discussion of the items before it was too late in the Session to discuss them calmly and without undue haste. These Civil Service Estimates had now assumed serious proportions, and they were the Estimates of all others which the House would be desirous to have discussed. While he trusted that there would be no obstruction to this Vote, he also hoped the Government would give an assurance that they would enable the House to discuss the Estimates before the end of June.

Mr. GOLDSMID said, he had suggested to the Government last Session a plan for facilitating the discussion of the Civil Service Estimates. The suggestion led to some observations from the Chair with regard to the practice which might be adopted by the House. It was that a statement should be made by the Secretary to the Treasury upon these Estimates, comparing them with those of the previous year, and showing where the excesses were; and, in fact, giving a general history of the Estimates. Such a statement was made last year, and he believed it was found exceedingly useful, and did much to facilitate discussion in Committee of Supply. He would ask the Secretary to the Treasury, whether he proposed to adopt the same course this year; and, if so, when he proposed to make the Statement? The Secretary to the Treasury had shown a reasonable desire to bring on the Civil Service Estimates this year. They had been put down on the Paper on several occasions, and he might have had reason to expect that some of the Votes would have been discussed before to-day. In that expectation he had been disappointed; and he (Mr. Goldsmid) was not surprised that he should have been disappointed when he found, for instance, that one hon. Gentleman had put down for the same day three Notices of Motion on going into Committee of Supply on the Civil Service Estimates. If every Member of the House were to indulge in so many Notices of Motion, it would be impossible for the Estimates ever to be discussed; and, consequently, although he, for one, had on more than one occasion in former years expressed his opposition to Votes on Account, he could not say that this proposal of the Government, which was to take a Vote on Account for two months, was at all unreasonable, and he would be happy to give every facility to the Government to obtain the money they wanted.

Mr. J. COWEN desired to ask the Secretary of State for War a Question in elucidation of the information he had imparted to the House. He understood from the right hon. Gentleman that the Army Reserves and the Militia Reserve were to be called out. Could the right hon. Gentleman say what number of men was embodied in these Reserves?

Mr. CHILDERS: Before the right hon. Gentleman answers that Question, perhaps he will allow me to ask another in connection with the same point. The right hon. Gentleman named two of the three Reserve Forces—the Militia Reserve and the Army Reserve. By exactly the same process by which the members of those two Forces are brought into the Army, the Militia itself, or a portion of the Militia, may be embodied. It will be satisfactory to the House to know whether the machinery provided by the Act, which is identical in the three cases, is proposed to be applied to the Militia Reserve and Army Reserve only, or whether it will be applied to embody the whole or part of the Militia?

Mr. GATHORNE HARDY: With respect to the Question of the hon. Member for Newcastle (Mr. J. Cowen), I have to inform him that as nearly as I can recollect the First Class Army Reserve amounts, in round numbers, to about 13,000 men, and the Militia Reserve is between 25,000 and 26,000. As to the right hon. Gentleman's (Mr. Childers') Question about the embodiment of the Militia, of course the Militia will necessarily be embodied in the case of any expedition being sent out of the country. In that case, the Militia regiments linked with the regiments to be sent out would be embodied. Until such an occurrence as that, I shall not propose to embody the Militia.

Colonel STANLEY thought the House and the Government alike recognized the difficulty in which they were placed with regard to the Civil Service

Estimates, and he was sure the Government had no right to complain after the very frank way in which they had been met by hon. Members on the other side, and the desire they had shown to assist the Government in their present difficulty. The Government were reluctant to ask the House to accede to any Vote on Account which might be unnecessary. He might be allowed to refer to the fact that the Vote now to be proposed was to be taken for two months instead of three months. There was a desire on the part of the Government to avoid any further Vote on Account; but this was a matter very much in the power of hon. Members themselves. The hon. Member for Rochester (Mr. Goldsmid) had pointed out that the Government had sought an opportunity for bringing these Votes before the House on several occasions. That opportunity had, from various circumstances, not been afforded to the Government; and though he was not able to give any positive promise—he could not predict the circumstances of the Session so far as to promise—that no further Vote would be taken on account; but the Government would use their utmost endeavours to avoid the necessity of taking one. As to what had been said about the Motions made on going into Committee of Supply, it was for hon. Members, in the exercise of their discretion, to decide what Motions they should put down; but he hoped, after the expression of feeling that evening, that the House might rely on that feeling to help the discussion of the Estimates forward. He was asked as to his making a statement on the Estimates. He had considered this matter carefully, in conjunction with his right hon. Friend the Chancellor of the Exchequer, and they had come to the conclusion that the financial circumstances of the collective Civil Service Estimates of this year were not of such an unusual character as to involve any question of policy, or to render it desirable to invite the House, at a moment when time was precious, to a discussion on abstract matters connected with the Estimates. In most of the Votes there was a decrease. He would frankly add that, not having the financial ability or the eloquence of his right hon. Friend who preceded him, he did not wish to trespass on the time of the House, but preferred rather to confine himself to such explanations of the Votes as the House might express a wish to hear from him.

MR. PARNELL thought the hon. and gallant Gentleman's (Colonel Stanley's) explanation of the intentions of the Government with regard to further Votes on Account was satisfactory. There was no doubt that in past years the House had been deprived of a Constitutional right of discussing Items of Supply. It appeared this was not to be the case in future. He did not know why the Government desired to take this Vote on Account to-night. Some of the items of the Vote required lengthy discussion. The Irish Members felt it to be their duty to discuss and oppose the items for the Queen's Colleges and University. He did not think that the proper time to bring in a money Vote of this kind. The Government were pledged not to bring on this Motion at an unreasonable hour. He would make a suggestion to the Government. He might say for himself and his Friends that they did not intend to offer any opposition to the Marine Mutiny Bill in Committee. As the Government had apparently thought it necessary to take a Morning Sitting for that Bill, he proposed that the Government should postpone the Vote and give the Irish Members an opportunity of directing attention to it at the Morning Sitting, when their observations might be reported in the newspapers. This appeared to him to be a reasonable request.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY — CIVIL SERVICE AND REVENUE DEPARTMENTS, VOTE ON ACCOUNT.

SUPPLY—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

" That a sum, not exceeding £3,777,540, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1879, viz.:—

CIVIL SERVICES.

CLASS I.—PUBLIC WORKS AND BUILDINGS.

Great Britain :—	£
Royal Palaces	6,200
Marlborough House	1,000
Royal Parks and Pleasure Gardens ..	19,500

	£
Houses of Parliament	5,400
Public Buildings	21,600
Furniture of Public Offices	2,500
Revenue Department Buildings ..	31,300
County Court Buildings	7,400
Metropolitan Police Courts	2,500
Sheriff Court Houses, Scotland ..	1,300
New Courts of Justice, &c.	20,000
Surveys of the United Kingdom ..	22,200
Science and Art Department Buildings	2,500
British Museum Buildings	800
Natural History Museum	13,300
Edinburgh University Buildings ..	3,300
Harbours, &c. under Board of Trade ..	2,500
Rates on Government Property (Great Britain and Ireland)	33,200
Metropolitan Fire Brigade (3 months' provision)	2,500

Ireland :—

Public Buildings	27,300

Abroad :—

Lighthouses Abroad	2,000
Diplomatic and Consular Buildings ..	7,200

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

England :—

	£
House of Lords, Offices	7,400
House of Commons, Offices	8,300
Treasury, including Parliamentary Counsel	9,900
Home Office and Subordinate Departments	14,600
Foreign Office	12,100
Colonial Office	6,400
Privy Council Office and Subordinate Departments	5,500
Privy Seal Office	460
Board of Trade and Subordinate Departments	28,300
Charity Commission (including Endowed Schools Department) ..	5,400
Civil Service Commission	4,400
Copyhold, Inclosure, and Tithe Commission	2,800
Inclosure and Drainage Acts Expenses	1,300
Exchequer and Audit Department ..	8,600
Friendly Societies, Registry ..	1,000
Local Government Board	64,000
Lunacy Commission	2,400
Mint	8,500
National Debt Office	2,700
Patent Office	4,500
Paymaster General's Office	4,000
Public Works Loan Commission ..	1,600
Record Office	3,600
Registrar General's Office	7,900
Stationery Office and Printing ..	75,200
Woods, Forests, &c., Office of ..	3,800
Works and Public Buildings, Office of	6,600
Secret Service	4,000

Scotland :—

Exchequer and other Offices ..	1,000
Fishery Board	2,100
Lunacy Commission	900
Registrar General's Office	1,100
Board of Supervision	3,100

Ireland :—

	£
Lord Lieutenant's Household ..	1,100
Chief Secretary's Office, &c.	4,400
Charitable Donations and Bequests Office	340
Local Government Board	21,200
Public Works Office	4,900
Record Office	1,000
Registrar General's Office	2,700
Valuation and Boundary Survey ..	3,600

CLASS III.—LAW AND JUSTICE.

England :—

	£
Law Charges	12,100
Criminal Prosecutions	30,600
Chancery Division, High Court of Justice	29,600
Queen's Bench, &c. Divisions, High Court of Justice	10,500
Probate, &c. Registries, High Court of Justice	15,600
Admiralty Registry, High Court of Justice	2,200
Wreck Commission	1,700
Bankruptcy Court (London) ..	6,300
County Courts	72,500
Land Registry	900
Police Courts (London and Sheerness)	2,400
Metropolitan Police (3 months' provision)	110,600
Police, Counties and Boroughs, Great Britain	700
Convict Establishments in England and the Colonies	73,700
Prisons, England	81,200
County Prisons, &c. Great Britain ..	9,200
Reformatory and Industrial Schools, Great Britain (3 months' provision)	61,200
Broadmoor Criminal Lunatic Asylum	4,200
Revising Barristers, England ..	– –

Scotland :—

Lord Advocate, and Criminal Proceedings	11,200
Courts of Law and Justice	10,200
Register House Departments ..	6,000
Prisons, Scotland	13,500

Ireland :—

Law Charges and Criminal Prosecutions	14,500
Chancery Division, High Court of Justice	6,600
Queen's Bench, &c. Divisions, ditto ..	4,700
Land Judges' Offices, ditto	1,800
Probate, &c. Registries, ditto ..	1,900
Court of Bankruptcy	1,600
Admiralty Court Registry	280
Registry of Deeds	3,200
Registry of Judgments	470
Dublin Metropolitan Police (including Police Courts)	23,000
Constabulary	181,700
Prisons, Ireland	24,600
Reformatory and Industrial Schools (3 months' provision)	20,300
Dundrum Criminal Lunatic Asylum ..	1,060
Magistrates and Miscellaneous Legal Charges	10,900

Class IV.—Education, Science, and Art.

England:—

	£
Public Education	358,200
Science and Art Department	51,200
British Museum	18,800
National Gallery	1,900
National Portrait Gallery	330
Learned Societies, &c., Great Britain and Ireland	2,800
London University	1,800
Deep Sea Exploring Expedition (Report)	660
Paris International Expedition	6,100

Scotland:—

Public Education	82,900
Board of Education	400
Universities, &c.	3,000
National Gallery	350

Ireland:—

Public Education	108,500
Endowed Schools Commissioners	100
National Gallery	390
Queen's University	800
Queen's Colleges	2,100
Royal Irish Academy	400

Class V.—Colonial, Consular, and other Foreign Services.

	£
Diplomatic Services	33,500
Consular Services	41,400
Colonies, Grants in Aid	6,900
Orange River Territory and St. Helena	460
Suez Canal (British Directors)	270
Suppression of the Slave Trade	1,200
Tonnage Bounties, &c.	2,300

Class VI.—Superannuation and Retired Allowances, and Gratuities for Charitable and other Purposes.

	£
Superannuation and Retired Allowances (3 months' provision)	110,800
Merchant Seamen's Fund Pensions, &c. (3 months' provision)	7,800
Relief of Distressed British Seamen Abroad	4,900
Pauper Lunatics, England	- -
Pauper Lunatics, Scotland	- -
Pauper Lunatics, Ireland (6 months' provision)	41,900
Hospitals and Infirmaries, Ireland	2,900
Savings Banks and Friendly Societies Deficiency	- -
Miscellaneous Charitable and other Allowances, Great Britain	690
Miscellaneous Charitable and other Allowances, Ireland	680

Class VII.—Miscellaneous, Special, and Temporary Objects.

	£
Temporary Commissions	3,600
Miscellaneous Expenses	1,500
Total for Civil Services	£2,352,440

REVENUE DEPARTMENTS.

	£
Customs	163,400
Inland Revenue	302,000
Post Office	552,200
Post Office Packet Service	128,800
Post Office Telegraphs (3 months' provision)	278,700
Total for Revenue Departments	£1,425,100
Grand Total	£3,777,540

Major NOLAN moved to reduce the Vote by £2,100—the item for the Queen's Colleges. He remarked, that the conduct of the Government in bringing forward this Vote at the present time was highly inconvenient to Irish Members, who were desirous of making as strong a demonstration as possible against the Vote for the Queen's Colleges. Nothing was known of the intention of the Government to ask for this large sum on account until Thursday's Papers came into Members' hands. It was, then, too late to call Irish Members together. The attention of the Irish public had been largely directed to the question of the expenditure on the Queen's Colleges, and he was sorry to say they would be inclined to find fault with some of the Irish Members who could not be present to object to the Vote. On this occasion, however, they were not to blame, for the Government had taken them by surprise. There was no possibility of all the Irish Members who wished to protest against this Vote being present to do so; and those who were in the House must either let the Vote pass in silence or protest against it with what, he must say, would be an insufficient and almost an undignified expression of opinion on their part. If there were time given to summon Members from Ireland, the majority of Irish Members against the Vote would be found to be three or four to one instead of two or three to one, as might be the majority in other cases. Of the large amount of taxation paid by Ireland only a small amount was spent in Ireland, and that sum was not spent there in accordance with the wishes of the Irish people. It was not even distributed equally among the different classes in Ireland. It was, in fact, distributed in a way offensive to the majority of the population. The Vote for these Queen's Colleges was looked upon as a bribe to a particular class of educationalists. The higher education in Ireland, so far as State Education was concerned, was limited to an education which, though nominally secular, was really denominational. The Belfast College, to a certain extent, had been made practically a denominational College for the Presbyterians. This was partly owing, he had no doubt, to their own energy. The other two Queen's Colleges were secular. No provision was made in this Vote for the University Education of Ireland. There was no objection to secular education being endowed in Ireland, but there was a strong objection to its exclusive endowment. If this money were voted, the House would vote for the exclusive endowment by a side-wind of one or two particular religions in Ireland. The Government were bound, if they got this Vote in Committee, to give opportunity for discussion on Report, or to postpone the Vote till the Morning Sitting, after the Marine Mutiny Bill passed through Committee. If the Government were to promise a proper opportunity for discussion on these items, the Vote might now be agreed to; but it would certainly be strange if Irish Members did not even get the opportunity of raising their voices in the House against a Vote which they were continually protesting against at home. He moved to reduce the Vote by £2,100, which was the sum asked for the Queen's Colleges.

Motion made, and Question proposed,

"That a sum, not exceeding £3,775,440, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1879."—(*Major Nolan.*)

THE CHANCELLOR OF THE EXCHEQUER fully recognized the importance of the question to which the hon. and gallant Member had referred—namely, the Vote in respect of the Queen's Colleges in Ireland; but the present Vote was a Vote on Account, which could not have been proposed in any other form than that in which it had been presented to the House. The Government wished to take a Vote on Account, in order to be enabled to carry on for two months the system of government as it at present existed. Of course, the time would come when these Votes would be taken in a more complete form, and that would be the proper and natural time for a discussion on the policy advocated by the hon. and gallant Gentleman. On the part of Her Majesty's Government, he would undertake to do his best to secure to Irish Members an opportunity for the full discussion of that policy at a proper time in the Session when the complete Vote was submitted to the House. He quite understood, however, the position which the hon. and gallant Gentleman had assumed, when he said, in effect—"Although an opportunity may be offered by-and-by for challenging the principle, still I cannot conscientiously allow even a Vote on Account to be passed without a challenge." He thought the proposal made by his hon. and gallant Friend was a very fair one—namely, that a discussion of this limited character should take place on the Report of this Vote. In that case, the Government would be glad to place it as the Second Order of the Day to-morrow, after the Marine Mutiny Bill.

MR. GOLDSMID thought the conciliatory spirit shown by the hon. Member for Meath (Mr. Parnell) and the hon. and gallant Member for Galway (Major Nolan) would prove advantageous to the Committee, which might now transact two very important matters of Business. The Government might get all the money they required, and the Irish Members would have an opportunity of discussing a very important question in which they were interested.

MR. BIGGAR entirely disapproved the principle of the Vote. It was now past 2 o'clock, and at that hour there was no possibility of properly discussing the different items. He therefore moved to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

MR. GRAY pointed out to the Chancellor of the Exchequer that his concession did not really meet the requirements of Gentlemen in that part of the House. If the right hon. Gentlemen would consent to pass all the Votes with the exception of those relating to the Queen's University and the Queen's Colleges, the latter might be afterwards discussed in Committee to-morrow afternoon.

MR. PARNELL observed that he only promised to give up his right of discussing the Marine Mutiny Bill if the Irish Members were afforded an opportunity of discussing the Votes for the Queen's Colleges.

THE CHANCELLOR OF THE EXCHEQUER hoped the Committee would take the Vote on Account at once, as there would be ample opportunity subsequently to discuss the whole question of the Queen's Colleges.

MR. O'SHAUGHNESSY said, the subject was one upon which the Irish Members could not possibly make any concessions.

MR. SULLIVAN said, there was a conscientious compulsion upon them to resist every inch of the progress attempted to be made in reference to the Irish Education Votes.

THE O'CONOR DON agreed that the matter was so important to Ireland that it could not be allowed to pass without serious question.

COLONEL STANLEY said, that if hon. Members desired to question this Vote at every stage, it was open to them to move its reduction. If they thought proper attention had not been given to their arguments, they would have an opportunity of expressing their opinions to-morrow on the Report of the same Vote. Under these circumstances, he felt it his duty to resist the Motion to report Progress.

MR. COURTNEY regretted that the Chancellor of the Exchequer had not accepted the offer made by the hon. Member for Meath (Mr. Parnell). He could not see what great difficulty there was in postponing the Votes of Class IV. till to-morrow.

THE CHANCELLOR OF THE EXCHEQUER said, the whole question was whether they could get a Vote of Account on the whole of these Services? If not, they would have no money to meet the Votes in Class IV. Next Monday had been promised for the discussion of the Sale of Intoxicating Liquors on Sunday (Ireland) Bill, on condition that progress was made with the Mutiny Bill and Supply. If the Committee pleased, they could report Progress now, and take this Vote to-morrow after the Marine Mutiny Bill. The Vote on Account might then be placed as the First Order of the Day on Monday. If that passed without discussion, there would be time for the consideration of the Irish Sunday Closing question.

MR. SULLIVAN observed, that if the hon. and learned Member for Leeds (Mr. Wheelhouse) were to hear of the arrangement just proposed, the hon. and learned Gentleman would, doubtless, find out no end of subjects for discussion on Monday next on the Report of this Vote.

MR. PARNELL said, it was unusual to put the Report of a Money Vote first on the List for Monday.

THE O'CONOR DON thought the course which the Government was pursuing was hardly creditable to them.

MR. ONSLOW remarked, that it was incumbent on the Government to get through their Business before the Sale of Intoxicating Liquors on Sunday (Ireland) Bill was taken.

SIR JOHN LUBBOCK failed to see why the Government should not put the Report of this Vote after the Sale of Intoxicating Liquors on Sunday (Ireland) Bill.

MR. O'SULLIVAN, as one of the opponents of the Sale of Intoxicating Liquors on Sunday (Ireland) Bill, expressed his belief that the debate on it would occupy three days at least.

MR. O'CONNOR POWER said, the Irish Members had come to the conclusion that they could not discharge their duty in a satisfactory manner if they undertook to discuss the question of education in the Queen's Colleges on the Report of this Vote.

THE CHANCELLOR OF THE EXCHEQUER said, the Government had felt all through that it was absolutely necessary for the public service to make proper progress with the Mutiny Bill and the Supply. The taking of a Vote on Account was a necessity for carrying on the public service. He thought the first proposal of the hon. and gallant Member for Galway (Major Nolan) was a fair one; but, when that was objected to, he said the Government would meet hon. Members opposite again, and instead of taking the discussion of the

Queen's Colleges on the Report to-morrow, they would take it to-morrow in Committee, and postpone the Report until Monday. If there was no opposition to the Report on Monday, no time would be lost by taking it as the first Order. He would throw himself upon the honour of hon. Gentlemen opposite. If they would undertake that there should be no discussion on the Report, and that there should be no attempt unfairly to talk out the Committee to-morrow, he would accept that undertaking.

MR. **BIGGAR** did not think the right hon. Gentleman had shown very much disposition to facilitate the Business of the House. The questions raised by the Votes were of a very multifarious nature, and if hon. Members had been disposed to discuss them, not even three nights would have been sufficient to settle all these Votes on Account.

MR. **SULLIVAN** said, the Chancellor of the Exchequer might rely upon the honour of the Irish Members to abide by the undertaking into which they had entered.

MR. **GRAY** expressed his sense of the courteous manner in which the right hon. Gentleman the Chancellor of the Exchequer had made his proposal.

Question put, and *agreed to.*

Committee to sit again *To-morrow,* at Two of the clock.

BILLS OF EXCHANGE (ACCEPTANCE) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to declare the Law relating to the acceptance of Bills of Exchange.

Resolution *reported:* — Bill *ordered* to be brought in by Sir JOHN LUBBOCK, Mr. HERSCHELL, Mr. CHARLES MILLS, and Mr. WATKIN WILLIAMS.

Bill *presented,* and read the first time. [Bill 135.]

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) PROVISIONAL ORDERS CONFIRMATION BILL.

On Motion of Colonel STANLEY, Bill to confirm Two Provisional Orders under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same, relating to "Ward River and River Suck Drainage Districts," *ordered* to be brought in by Colonel STANLEY and Mr. JAMES LOWTHER.

Bill *presented,* and read the first time. [Bill 136.]

House adjourned at a quarter after Two o'clock.

The Chancellor of the Exchequer

HOUSE OF LORDS,

Friday, 29*th March,* 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Mutiny*; Endowed Schools and Hospitals (Scotland) (56).

Committee—Matrimonial Causes Acts Amendment (34-55).

PARLIAMENT—MILITIA OFFICERS.

QUESTION.

THE EARL OF **SANDWICH** asked the noble Lord who now represented the War Office in that House, Whether Militia Officers could absent themselves without leave from their regiments in order to attend to their Parliamentary duties?

VISCOUNT **BURY** said, that officers of the Militia who were also Members of Parliament had conflicting duties to perform—their military duties, and their legislative duties. Their Parliamentary duties over-rode all others; and the Parliamentary duties of officers had always been regarded as over-riding military duties. The military authorities had always granted leave to officers to enable them to attend their Parliamentary duties. At the same time, his noble Friend, as the commander of a Militia regiment, must know that his officers were under the Mutiny Act, and that he could give them any orders and assign to them any duties performed by regimental officers. If thay did not fulfil them or pleaded Parliamentary duty, and he did not consider their excuse satisfactory, he could bring the matter under the notice of the authorities, and the officers might have to make an election as to the duty they would continue to perform. A case was brought under the notice of the Duke of Wellington, in which an officer absented himself from his military duty and alleged that he did so in the performance of his Parliamentary duty. The Duke of Wellington placed him under arrest, and refused to release him on that excuse. He did not say that the authority of the Duke of Wellington was conclusive on the point; because, in another case, an officer absented himself from his military duty to attend a Parliamentary Committee to which he had been summoned as a witness. He was tried for desertion of duty, and a conflict between the Military and Parliamentary authorities ensued. The latter concluded the case by deciding that an officer called as a witness before a Parliamentary Committee could plead exemption from military duty, and that in the case of such a person no leave was necessary. A case bearing on a question somewhat similar to that raised by his noble Friend was before the Law Officers for their opinion. As officers of Militia were not engaged at military duties throughout the whole year like officers of the Army, but only for a short time, he was sure they would have the good feeling not to put their commanding officers to the inconvenience of raising a question on which there was a conflict of opinion.

THE EASTERN QUESTION—MESSAGE FROM THE CROWN.—QUESTIONS.

EARL GRANVILLE: My Lords, I wish to ask the noble Earl the First Lord of the Treasury a Question with regard to the very grave announcement made in this House last night. It is, When the Message from the Crown calling out the Reserves will be sent down to this House, and at what time the noble Earl proposes to ask your Lordships to consider it?

THE EARL OF BEACONSFIELD: My Lords, the Message from the Crown will be sent down on, I believe, Monday. I shall study the convenience of the noble Earl and of your Lordships generally as to the time at which it should be taken into consideration; but I think Thursday will be a reasonable period.

EARL GRANVILLE: Will the Message be communicated to this House previously to the communication to the other House, or will it be communicated to both Houses the same evening?

THE EARL OF BEACONSFIELD: To both Houses on the same day.

EARL GRANVILLE: There is a further Question on which I am still more desirous to have information. I am quite sure Her Majesty would not desire that a matter of such grave importance should be considered without the fullest information having been afforded to the House. The Chancellor of the Exchequer is reported to have promised in "another place" that certain Papers would be distributed to the House of Commons, and, consequently, to this House, to-day. I have received no such Papers, and therefore I should be glad to know when those Papers will be in the hands of Members of this House? I also wish to know whether the Correspondence will include, besides the Correspondence between this country and Russia, the Correspondence with the other Powers? It is rumoured that Germany proposed a preliminary Conference. I do not know whether that is true or not, but the report makes it desirable that the Correspondence with the German Government should be included in the Papers.

THE EARL OF BEACONSFIELD: The Papers have been laid before the House, and I trust they will be in the hands of your Lordships immediately. They will not be limited to the Correspondence between this country and Russia, but will contain Papers relating to the proposition of the Congress by Austria. With regard to the time at which the Message will be taken into consideration, I have heard since I entered the House that a wish has been expressed in the other House that the consideration of the Message in the House of Commons should be earlier than Monday week. Thursday has been mentioned for it in the House of Commons; and if the noble Earl thinks that Monday week will be a convenient time for it here, I am willing to fix that day.

EARL GRANVILLE: I think that will depend entirely on the Papers, which I understand from the noble Earl will not be confined to the Papers between this country and Russia; but will include, also, those between this country and Austria. I think we have a right to know the view of all the Great Powers with regard to whether there should be a Conference or not.

THE EARL OF BEACONSFIELD: I shall not fix the day for the discussion till Monday.

MATRIMONIAL CAUSES ACTS AMENDMENT BILL—(No. 34.)

(*The Lord Sudeley.*)

COMMITTEE.

House in Committee (according to Order).

Clause 1 (Short title) *agreed to.*

Clause 2 (Costs of Intervention) *agreed to.*

Clause 3 (Power to the Court to order provisions to be made for the wife when the husband also has been guilty of a matrimonial offence).

LORD PENZANCE moved to omit the clause, which, he said, would act as a premium to adulterous wives to make trumped-up charges against their husbands. Nor was it to be overlooked that if the wife succeeded in a retaliatory charge against her husband, no decree would be made; and, therefore, as he got nothing by his suit, it would be hard to compel him to make provision for his guilty wife.

LORD SUDELEY: I hope your Lordships will not agree to the Amendment moved by the noble and learned Lord. It would, my Lords, I feel, be the height of presumption on my part, if I were to attempt to measure swords and to argue the point with so great an authority as the noble and learned Lord; but, whilst I feel the utmost diffidence in this respect, I trust your Lordships will allow me, having charge of the Bill, to state briefly some of the reasons which have induced many high and well-known authorities to support the clause as it now stands, and to state why we cannot accept the Amendment. The main object of the clause is to remove a restriction which now exists in the way of the parties disclosing all the facts to the Court, and thus to limit the necessity of the Queen's Proctor intervening. As the law at present stands, the wife knows that if she attempts to show that her husband is guilty, and succeeds in preventing a decree being granted, she will be left destitute, as the Court cannot, in such a case, order any provision to be made; and she is, therefore, almost bound to conceal the facts. The Court has power to make the innocent husband provide for the guilty wife; but it is obliged to allow the guilty husband to leave the wife destitute. Another object of the clause is to place husband and wife on the same footing, when both have been guilty, instead of allowing the punishment to fall solely on the wife. The noble and learned Lord says that if no decree is made, the man gets nothing by his suit; and that, therefore, it would be unfair to make him give a provision to his wife. But, my Lords, after the Bill becomes law, any man coming before the Court to seek relief would know what to expect, and would be aware that if he wanted to obtain relief, he must come with clean hands. It must be remembered that this case only applies where the man is guilty of concealing facts. It is, I apprehend, well-known that in a great number of cases the wife could prove, if she dare do so, that her adultery has been caused from the example set her by her husband, and that it is due entirely to his guilt and to his neglect that she has gone wrong. Surely, my Lords, in these cases, it would be no hardship, but a simple act of justice, that the Court should have discretionary power to order provision, if it thought right, instead of leaving the poor woman destitute. Then, again, I do not think it can be said rightly, that because the man gets no decree, he, therefore, gains nothing by his suit. I apprehend if once the decree *nisi* has been granted, and a jury has declared the wife guilty, although no decree may be given, the husband has obtained a decided advantage, which he would unmistakeably use if proceedings were at any time instituted against him to compel him to provide her with maintenance. The result of the Amendment would be entirely to alter the character of the clause, and reduce the benefits to very small dimensions in the case where the wife was innocent; and it would not remove the blot which undoubtedly exists of its being an absolute benefit to the wife to conceal the facts. This clause has, my Lords, the support of very high authority—namely, no less person than the President of the Divorce Court, Sir James Hannen. He has been kind enough to send me a memorandum on the subject, which I have his authority to read—

MEMORANDUM, WRITTEN BY SIR JAMES HANNEN, PRESIDENT OF THE DIVORCE COURT, IN FAVOUR OF CLAUSE.

"1. Power to Court to order allowance to be made to a wife, though guilty, if the husband be proved guilty.

Reasons.

"Whatever opinion may be entertained of the value of the Queen's Proctor's intervention, it is clear that it is desirable that the necessity for it should be obviated by the parties themselves disclosing all the material facts of the case. This would almost always be more effectual than the action of the Q.P., and it would, in a majority of cases, save the public the expense of this intervention.

"At present it is to the advantage of a guilty wife to abstain from making a countercharge which, if established, would deprive her husband of the right to have the marriage dissolved, because by Section 32 of 20 & 21 Vict. c. 85, the Court has the power, on making a decree *absolute*, to order the husband (though innocent), to pay a gross sum, or to make an annual allowance to his guilty wife; but it has no such power if, by reason of the husband's misconduct, his petition is dismissed.

"If, then, power were conferred on the Court in all cases, whether the husband be successful in his suit or not, to order him to make some provision for his wife, there would not be the same inducement for her to conceal any matrimonial offence, of which her husband may have been guilty and thus the Q.P.'s intervention would usually be unnecessary.

"This consideration alone will probably be thought to offer a sufficient reason for the proposed amendment of the law; but it seems, also, to be more consistent with justice, where both husband and wife have been guilty, that punishment should not fall on the latter only. In a majority of cases where both have committed matrimonial offences, the man has first set the bad example of his adultery, or has, by other misconduct, alienated his wife's affections, and thus contributed to his own dishonour. Yet, though this may be proved against a husband, and his suit may be dismissed on the ground of the most shameful misdeeds on his part conducing to his wife's adultery, he is able, as the law now is, to inflict the punishment of destitution on her for guilt of which he was the cause, and may take advantage of his own wrong by freeing himself from the liability to support her."

Thus, we have, my Lords, the President of the Court in direct conflict with the ex-President; but, my Lords, this is not all. The Bill was passed through the other House by Mr. Herschell, one of the most eminent Queen's Counsel at the Bar, and Sir Henry Holland; and it has also the approval of a great portion of the Bar. I am also authorized by Sir James Hannen to state that he finds that the Professional men in the habit of practising in his Court are decidedly in favour of the clause, and think its enactment would be expedient and advantageous. When the Bill was passing through the House of Commons the Attorney General stated, in reply to a Question, that the Government supported this clause. I trust, my Lords, that you will, therefore, refuse to agree to the Amendment, but will pass the clause in its entirety.

THE LORD CHANCELLOR said, that at first sight the clause had appeared to him a reasonable one; but, on examination, he found that it was subversive of the principle on which the Divorce Court had hitherto proceeded. If the clause was allowed to stand part of the Bill, in a case in which there was no divorce or no judicial separation—in which the Court pronounced no sentence either of divorce or separation—and in which the parties were to live together, or might live together if they pleased, the Court was to be at liberty to order the husband to make provision for the wife, either by gross sum or annual allowance. He thought their Lordships should not agree to the clause, and hoped the noble Lord would not press it.

LORD BLACKBURN pointed out, that a wife who committed adultery might be left to starve by a husband who himself was guilty of adultery, and who might even have driven his wife to guilt, and therefore failed to obtain a divorce; whilst a husband who, on the evidence, did not appear to be blameable, and therefore obtained a divorce from a wife who appeared to be without excuse, was obliged to support her. This was a principal cause of collusion. He thought this should not be permitted to continue. He trusted their Lordships would be influenced by the opinion of the President of the Divorce Court, and would allow the power proposed by the clause to be given to the Court.

LORD SELBORNE said, that if the general law of the land, which deprived a guilty wife of her claim to maintenance by her husband was wrong, it ought to be amended by a legislative enactment; but the right of an adulterous wife to a maintenance from her husband ought not to depend on the circumstance that a suit had been instituted against her. It seemed to him that the effect of this clause would be to introduce two extraordinary anomalies. In the first place, it would give an exceptional advantage to a woman who was unsuccessful in her suit; and next, it would enable the Judge to do something incidentally in favour of the one party and against the other, when, upon the case which alone brought the parties within his jurisdiction, he could make no decree. He thought the clause should not be allowed to stand part of the Bill.

Amendment *agreed to.*

Clause *negatived.*

Clause 4 (Power given by 22 and 23 Vict. c. 61, s. 5, extended to cases where no children of marriage) *agreed to.*

Lord PENZANCE moved, to insert after Clause 4, the following clause:—

"If a husband shall be convicted summarily or otherwise of an aggravated assault within the meaning of the statute twenty-fourth and twenty-fifth Victoria, chapter one hundred, section forty-three, upon his wife, the court or magistrate before whom he shall be so convicted may, if satisfied that the future safety of the wife is in peril, order that the wife shall be no longer bound to cohabit with her husband; and such order shall have the force and effect in all respects of a decree of judicial separation on the ground of cruelty; and such order may further provide,

"1. That the husband shall pay to the board of guardians for the parish or union in which he shall reside at the time of the said conviction, such weekly sum as the court or magistrate may consider to be in accordance with his means, and with any means which the wife may have, for the support of his wife; and the board of guardians shall from time to time pay the money so received by them to the wife, and they shall have the like remedies against the husband for the recovery of such weekly sums, or any part thereof, as they would have against him if he had deserted his wife, and she had become chargeable on the parish or union, for any sums spent by them in maintaining her; and the court or magistrate by whom any such order for payment of money shall be made, shall have power from time to time to vary the same on the application of either the husband or the wife, upon proof that the means of the husband or wife have been altered in amount since the original order or any subsequent order varying it shall have been made.

"2. That the legal custody of any children of the marriage under the age of ten years shall be given to the wife.

"Provided always, that no order for payment of money by the husband, or for the custody of children by the wife, shall be made in favour of a wife who shall be proved to have committed adultery; and provided also, that all orders made under this section shall be subject to appeal to the High Court of Justice."

The noble and learned Lord said, he would not refer to the sensational cases of cruelty which were of almost daily occurrence in order to show the necessity of the case—were he disposed to do so, he could produce a long list of them—some of them of a very black character. He thought the knowledge that the wife had an immediate and cheap remedy in case of cruelty would have a very deterrent effect upon brutal husbands.

Lord SUDELEY expressed his readiness to accept the clause.

The Earl of KIMBERLEY said, he was not sure that the machinery of the portion of the clause referring to the recovery of money by the Boards of Guardians was quite satisfactory. He doubted whether Guardians were the best bodies to receive and pay over the moneys payable under the order of the magistrate.

Lord PENZANCE was willing to amend it, if it could be amended, at a future stage.

Amendment made; Clause *agreed to,* and *added* to the Bill.

The Report of the Amendments to be received on *Tuesday* next; and Bill to be *printed* as amended. (No. 55.)

ENDOWED SCHOOLS AND HOSPITALS (SCOTLAND) BILL.

(*The Lord President.*)

BILL PRESENTED. FIRST READING.

The Duke of RICHMOND and GORDON presented a Bill, the object of which was, first of all, to revise endowments in Scotland; and, secondly, to assist in the promotion of higher education in that country. England had already had the benefits of legislation in that direction. Under that legislation the Endowed Schools Commission, appointed many years ago, made their inquiries and Reports, and on those Reports the Commissioners were entrusted with framing schemes for dealing with endowments throughout the country. As their Lordships were aware, the Endowed Schools Commission was now merged in the Charity Commission. He thought it would be admitted that the labours of the Commissioners had been satisfactory. He would not say they had given universal satisfaction; but, on the whole, the result had been satisfactory. He was the more able to bear testimony to that, because a great many of their schemes had come before him in his official capacity, and because they found very few of the schemes laid before Parliament by the Commissioners had been schemes upon which Parliament had been asked to express a hostile opinion. Also, he did not think it would be honest of him, in the position he held, if he did not bear testimony to the great zeal with which not only the present Commissioners, but those had preceded them, had applied themselves to their duties and endeavoured to do justice in the cases—many of which were very complicated—which had been brought before them. It was because this system had been found satisfactory in England that it was now proposed that some similar arrangement should be extended to Scotland. The endowments in Scotland to which he referred were, no doubt, not so large as those in England; still they were of very great importance, and it was desirable to provide for Scotland some system by which those endowments should be made available for useful purposes in connection with education, and it was for this purpose that the Bill had been brought forward. The object of the Bill was both to revise the endowments and to assist in obtaining a higher class of education. There were two points as to which he would like to call attention. The first was as to the effects of recent legislation, and the second as to the nature of the endowments with which they proposed to deal. With regard to recent legislation, the Trustees of Endowments in Scotland had themselves, from time to time, pressed the Government of the day to take some action on the subject. So much so, that in 1869, a temporary Act of Parliament was passed which gave the Government power to issue to the Trustees a Provisional Order, and the Sheriff was to report upon the subjects with which it was desired to deal. Under the provisions of that Act, the Trustees of two institutions —the one the Merchant Company of Edinburgh with an income of something like £15,000 a-year, and the other the Bathgate Charity—at once applied to avail themselves of the powers given by the Act. The way in which the Trustees carried out the powers given them proved, he believed, to be advantageous to the institutions with which they were connected. The result, in fact, seemed likely to produce so much benefit, that various bodies prepared to apply to Parliament to be allowed to make use of the powers of that Act. But the Law Officers of the day interposed, and said that the powers sought to be obtained were *ultra vires;* and the consequence was that in 1872 an attempt was made to give the Trustees the powers necessary to deal with the Trusts with which they were bound up. The Bill of 1872, however, did not pass into law. He had forgotten whether it passed through either House of Parliament—it certainly did not go through both. The result was that a Royal Commission was appointed, which made a Report in 1875. The Report showed that there was a great necessity for some amendment in the present law. The Commission represented all shades of opinion, political and religious—and as they came to an unanimous conclusion in their Report, he thought their Lordships, also, might safely come to the same conclusion, and that something ought to be done in the matter of these endowments. Before explaining the provisions of the Bill, he desired to point out the nature and amount of some of the Trusts, as set forth in the Report of the Commission. He did not intend to deal with the University endowments, because they were, in the first place, comparatively small; he would rather confine himself to the other endowments in Scotland, which, in the aggregate, amounted to £174,000. These were charitable, educational, and mixed endowments. Some of the charitable endowments were for the sick and aged; some of the educational endowments were not for any particular institutions, while others were appropriated to particular schools, and of the mixed some were for both elementary and secondary education. A great portion of the endowments was applied, as the law at present stood, to the elementary schools, which schools were largely supported out of the rates. The other endowments under the 46th section of the Education Act of 1872 were dealt with by the school boards, and the measure to which he would ask their Lordships to give a first reading only extended the principle of the Act of 1872 to the other endowments now in existence. With regard to the previous administration of those foundations in Scotland, the Report of the Commissioners showed that there had been no abuse on the part of those connected with these endowments. There had been no maladministration of the endowments, so far as they were able to ascertain, and he thought they might assume that there had been no real maladministration; but there had been a want of power on the part of the Trustees to make alterations where alterations were required, and therefore it was necessary that some steps should be taken to give more power to Trustees. There was one system about which there seemed to be no difference of opinion as regarded Scotland—there seemed to be a unanimity of opinion as regarded the hospital system. A very eminent man, Lord Justice General Inglis, said—

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good, but rather of evil; and, at all events, they were clearly of opinion that, even supposing it to be useful in itself, there were already more than enough of such institutions in Edinburgh, and that it was not desirable to add to them. But they objected to the system upon principle."

In the same Report, Mr. Lyon Playfair said—

"When I formerly looked closely into the system, I found a very strong opinion against the hospital system, both as regards the parents who sent their children and the children who were sent. My opinion was that the first thing was to break up what is called the monastic system, by which the children were taken away from their parents and immured in these hospitals; because that produced a paralyzing effect on the children and a pauperizing effect on the parents."

It might be that the evils of the hospital system were more felt in Scotland than in England. And, on another point in connection with the hospital system, Mr. Jolly, one of Her Majesty's Inspectors of Schools, and formerly Teacher in George Watson's Hospital, in his evidence, said—

"The intellectual evils (of hospital life) are dulness in perception and understanding, and a peculiar intellectual inertness and heaviness. Everyone teaching in an hospital feels this very much. You cannot get the boys to work hard, though you appeal to them; and you have to put more energy into the teaching of an hospital class than any other. You have to waste yourself to inspire them with *vis*, and you get very little return. You have to work much harder to produce any result than with another set of boys. This intellectual dulness also manifests itself in a difficulty of interesting them and rousing them to mental effort. It also exhibits itself in a lower power of attention and a less strength of memory than in the case of out-door boys. On revisal, you are astonished how little they have retained. Intellectual power is also smaller than it would be on another system, and intellectual eminence in hospital boys is very rare. The system also produces a want of intellectual self-reliance and self-sustained intellectual effort."

Thus, they had the opinions of Lord Justice General Inglis, of Mr. Lyon Playfair, and Mr. Jolly, that this was a system which ought to be altered and amended. Another point had been touched upon by the Commission, and that was the constitution of the managing bodies of these institutions. Some objections were taken to the managing bodies on the ground that they were too bulky, others objected that they were too narrow, and others that they were apt to be too fluctuating, and that they gave room for jealousies of all kinds, political and religious. The sums paid for education in Scotland were very large, and he thought the elementary schools received a greater share of the educational endowments than the higher schools. He would read to their Lordships that part of the Report which referred to this question—

"With regard to endowments for higher instruction—1. Inasmuch as provision has been made by law for elementary, but not for secondary, schools, we recommend that, where the reasonable objects of any foundation can be attained without expending the whole revenue, the surplus should be applied to promote higher instruction in the vicinity of the foundation, either by directly aiding secondary schools, such as the higher-class public schools scheduled in the Education (Scotland) Act, 1872, or by the establishment of bursaries to be held at such schools, or by improving the higher instruction in public schools in the country districts."

That was the recommendation of the Commission, and the Bill intended very much to carry out the recommendation of the Commission, subject to certain supervision of the Scotch Education Committee of the Privy Council. The mention of the name of the Scotch Education Committee reminded him of a letter he saw some days ago written to *The Scotsman* newspaper by a gentleman with whom he had the honour of being acquainted. This gentleman—Mr. Milne-Home—wrote a letter on the subject of the Education Board for Edinburgh, with which he need not trouble their Lordships. He also wrote a long letter to *The Scotsman;* but the only paragraph with which he would trouble them took exception to the composition of the Scotch Committee of the Privy Council. Mr. Milne-Home's objection to that Board was that there was no Scotchman on it; and he said that the names of the Members of it were the Earl of Beaconsfield, the Duke of Richmond and Gordon, the Chancellor of the Exchequer, and Viscount Sandon; and yet he said that amongst these there was no Scotchman, or anyone who had any time or opportunity of knowing anything whatever about the wants and peculiarities of the Scotch! Now, he (the Duke of Richmond and Gordon) did not wish to put himself too prominently before their Lordships; but he confessed he read that statement twice—for, when he first read it, he thought that his eyes had deceived him, because if there was one thing more than another of which he was proud, it was his connection with Scotland, and he was not ashamed to say so; he hoped and fancied that he had taken great interest in the welfare of Scotland, that he was tolerably conversant with the habits and wants and peculiarities of the people from the highest to the lowest. Therefore, although he did not wish to put himself too prominently before their Lordships, he thought they would agree that Mr. Milne-Home was greatly in error when he said there was no Scotch person on this Committee. Mr. Milne-Home also forgot that Lord Gordon, the late Lord Advocate, was a Member of the Committee of Council on Education, and still remained so; and that since that time the present Lord Advocate had become a Member of the Board, and been made a Privy Councillor. In addition to himself, in addition to Lord Gordon and the present Lord Advocate, there was the very able Secretary of the Committee, Sir Francis Sandford, who might be claimed as a Scotchman, since he had been brought up and educated at the Glasgow University, where his father was one of the ablest Professors, until he took a distinguished position at Baliol College, Oxford. Therefore, he said, this Board was peculiarly Scotch; but, to leave that which seemed rather to be a personal matter, he desired to briefly point out what they proposed to do in this Bill. First of all, they gave to the Governing Body of these institutions the power to resolve that they would petition the Secretary of State for a Provisional Order, setting forth the scheme for the better government of the institution which they desired to have sanctioned. The Petition would be published in *The Edinburgh Gazette*, and an inquiry would be ordered to be instituted by a body of Commissioners to be formed to that end, with power to take evidence on oath. The Secretary of State might, if he thought fit, issue a Provisional Order in accordance with the prayer of the Governing Body. Power was given to two or more Governing Bodies to combine for the purpose of asking the Secretary of State for a Provisional Order. Governing Bodies were also empowered to apply to transfer their endowments to any other endowed institution or any school board. There was an important provision, which had for its object the promotion of a higher class of education in the schools throughout Scotland, especially in those parts of Scotland where there were no higher class schools; and it would assist the Scotch Education Department in administering the public grant to the elementary schools, so as to promote the higher education in those districts where there were no higher class schools. The clause on this subject was this—

> "The Commissioners shall submit for the consideration of the Scotch Educational Department the conditions according to which, in their opinion, the Parliamentary grant for public education in Scotland may be most advantageously distributed for the purpose of promoting education in the higher branches of knowledge in public and in State-aided schools, especially in those districts in which there are no high class public schools: Provided always that the duty of determining from time to time the rates and condition according to which the said grants may be given, and of framing and from time to time revising the minutes containing the same, shall be upon the Scotch Education Department."

That was the proposal which Her Majesty's Government made in the Bill, and which they thought would be the means of benefiting and improving higher class education, especially in those districts where it was not possible to have such schools. The only other point with which he need trouble their Lordships was the constitution of the Commission which they proposed should sit in Edinburgh, and there transact their business. The Government thought there was a great disadvantage attending a very large Commission, and there were probable disadvantages attending a very small Commission. They, therefore, proposed that Her Majesty should be recommended to appoint a Commission consisting of eight persons. One to be a Principal or Professor of one of the Universities of Scotland; another to be a member of the Educational Institute of Scotland; another to be the Sheriff of a county; another the Lord Provost of Edinburgh, or the Provost of Glasgow, or Aberdeen or Dundee; another the Convener of the Commissioners of Supply of a county in Scotland; and, of the three remaining Commissioners, one should be the Chairman of the Commission, and the Chairman and other two members should be paid. Her Majesty's Government trusted that through the operation of this Bill, fresh utility would be infused into these endowments, and they believed that secondary schools would secure some much-needed resources; while, at the same time, they believed all reasonable demands for the recognition of the higher education in elementary schools would be fully discussed.

Bill to amend the Law relating to Endowed Schools and Hospitals and other Endowed Institutions in Scotland, and for other purposes—*Presented* (The LORD PRESIDENT).

THE DUKE OF ARGYLL said, he was glad to find that Her Majesty's Government were attempting to deal with this matter, to which public attention in Scotland had long been directed. The subject was beset with many difficulties which could only be removed by legislation. He desired to point out one important difference which the noble Duke made with respect to England and Scotland. As he understood it, these Commissioners had no power to deal with these Governing Bodies unless the bodies themselves petitioned to be dealt with—by which he apprehended in England the Commissioners took the initiative, and not the bodies to be reformed. He thought it a great compliment to Scotland that the noble Duke believed that these bodies would have sufficient public spirit to come forward to be reformed, and that the initiative might be fairly trusted in their hands; but he confessed he doubted the expediency of appointing this large body of Commissioners if they were not to have the power of taking the initiative.

THE MARQUESS OF RIPON thought the appointment of a gentleman who was not a Member of the Government to a seat on the Education Board might be an inconvenient precedent.

THE DUKE OF RICHMOND AND GORDON, in reply to the observations of the noble Duke, said, the Governing Bodies did actually apply in great numbers in 1869 to have their cases considered; but the Law Officers of the Crown held that they could not be dealt with under the Act then in force. He had no doubt that, when the Commissioners were appointed, the Governing Bodies would send in applications and place themselves under the provisions of the present Bill. With regard to the remark of the noble Marquess (the Marquess of Ripon) he would observe that the late Lord Advocate was the only Member of the Committee of Council on Education who was not a Member of the Government. When once the Committee was nominated, the original Members remained upon it until a fresh Committee was appointed.

Bill read 1ª; and to be read 2ª on *Friday* next. (No. 56.)

House adjourned at a quarter before
Seven o'clock to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 29th March, 1878.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICES AND REVENUE DEPARTMENTS, Vote on Account.

PUBLIC BILLS—*Resolution in Committee*—Public Works Loan (£6,800,000, Consolidated Fund)*.

Committee—Report—Marine Mutiny *.

Third Reading—Mutiny; Factories and Workshops [126], and *passed.*

The House met at Two of the clock.

QUESTIONS.

ARMY—OFFICERS OF NEW LINE REGIMENTS.—QUESTION.

MR. COBBOLD asked the Secretary of State for War, Whether it is the intention of Government to apply the five years retirement rule to Officers in command of the twelve new Line Regiments, those officers having been appointed since the 31st of October, 1871; and, if not, whether the Government is prepared to take any steps in order to relieve the extraordinary stagnation felt in the junior ranks of these Regiments, all the subalterns of which are Royal Officers?

MR. GATHORNE HARDY: Sir, I may inform the hon. Member that negotiations are going on between the War Office and the Treasury with a view to remedy the grievances to which he alludes; but we have not yet arrived at any definite conclusion on the subject.

THE TREATY OF SAN STEFANO.

QUESTION.

Sir H. **DRUMMOND WOLFF**: Sir, I wish merely to say one word in explanation of this Question. What I wanted to ask the right hon. Gentleman the Chancellor of the Exchequer was whether some historical facts could not be produced to the House to explain the Articles of the Treaty of San Stefano? but, under the circumstances, I cannot press the right hon. Gentleman for an answer. I will ask the Question, and, of course, he can answer it or not as he thinks fit. The Question is—Whether Her Majesty's Government are in possession of any documents explaining the allusion contained in Article VII. of the Treaty of San Stefano to the "precedents established in 1830 after the Peace of Adrianople;" and, if so, whether such documents can be communicated to the House?

The **CHANCELLOR of the EXCHEQUER**: If my hon. Friend will allow me, I should much prefer to wait a little before answering this Question; and, in the meantime, I will make inquiry as to the existence of these documents, and if they do exist, whether they are of such a nature that they can be communicated to the House.

ARMY—OFFICERS OF THE COMMISSARIAT DEPARTMENT.—QUESTION.

Sir **HENRY HAVELOCK** asked the Secretary of State for War, with reference to his replies of last Session, on the 26th March and 14th August, 1877, that the grievances of officers of the Commissariat Department should "receive immediate consideration," Whether there is any prospect of those grievances being dealt with at an early date?

Mr. **GATHORNE HARDY**, in reply, said, a scheme had been submitted to the Treasury for the redress of the grievances of officers referred to by the hon. and gallant Gentleman, and the principle of that scheme had received the approval of the Treasury. There were certain details not yet settled; but he hoped that in a short time the scheme would be in a condition to be laid before the House—and, in fact, to come into operation—so that the House might become cognizant of it.

MINES ACT—BLASTING—THE APEDALE EXPLOSION.—QUESTION.

Mr. **BURT** (for Mr. Macdonald) asked the Secretary of State for the Home Department, If he has any information as to the latest colliery disaster at Apedale, North Stafford, and if it was caused by the firing of a shot in a mine giving off large quantities of gas; whether, considering that Mr. Wynne, the Inspector of the district, used the following words in his Report of 1875:—

> "I have year by year pointed out the farce of using locked lamps where the most dangerous of all lights—blasting—is allowed; and therefore, the awful responsibility, sanctioning a course that leads to such losses of life, rests on other heads and not on mine;"

and that in another Report on the subject of blasting the same year, he says—

> "I do not concur in the opinion it should be left to the miners and the mine owner until another terrible calamity befall us, and the public tell us we think more of the convenience of trade than of the safety of the workmen employed in the mine,"

he will bring in a Bill to amend the law on the subject of blasting in the mine, or whether he will support a Bill brought in by a private Member on the subject?

Mr. **ASSHETON CROSS**: Sir, I have seen the Inspector this morning. I am sorry to say that this accident resulted in the death, I think, of 22 men; but it is impossible, owing to the mine having taken fire, to recover the bodies for a considerable space of time. One consolation I have from the Report of the Inspector is this—that the owners of the mine have done everything they could to secure proper ventilation and discipline in the mine, and no expense has been spared by them in making all the mines with which they are connected as safe as it was in their power to make them. I have no doubt, from the conversation I had with the Inspector, that the accident will turn out to have been caused by the use of gunpowder in a mine of a fiery character; and I am bound, in justice to Mr. Wynne, to say that he has for many years upheld the opinion that the use of gunpowder in fiery mines is dangerous, and ought to be discontinued. There is a great difference of opinion amongst Inspectors on that point; but many of them are gradually coming round to Mr. Wynne's view. I cannot help thinking that the people are apt to forget that, as we get deeper in mining, we get into mines of a more fiery character, and that the dangers which are now to be encountered in the working of mines did not exist when the mines were not of such a fiery character. I think it is a point worthy of most serious consideration whether or not measures should be taken to prevent, in fiery mines, the use of gunpowder for blasting. I am bound, however, to say that there is great difference of opinion on the subject, not only amongst Inspectors but owners of mines; and the miners themselves—so far as I can form an opinion—are very much opposed to legislation of this kind. All I can say at the present moment is that the subject is worthy of very serious consideration. In the case of an accident that happened not very long ago, I sent down Mr. Maule, a gentleman of great experience, to attend the inquiry, and he made a report strongly commenting on the use of powder in these mines. I propose to send him to attend the inquest in the present instance, in order to see whether his opinion is confirmed, or whether he sees any reason to change it. I should be very glad indeed if any discussion could take place on the Motion in order that it may be fully inquired into, so that persons connected with mines and others might have the fullest opportunity of offering their views on the subject; but I cannot say that I will support any particular Private Bill until I have had an opportunity of seeing what that Bill is. If, however, any hon. Member thinks right to introduce a measure, or to propose a Motion on the subject, I shall only be too ready to give it my consideration.

POLICE SUPERANNUATION.

QUESTION.

Mr. PEASE asked the Secretary of State for the Home Department, Whether he proposed to bring in a Bill during this Session in relation to Police Superannuation, or to take any other step in the matter?

Mr. ASSHETON CROSS, in reply, said, the question was one well worthy of consideration, and was certainly not being lost sight of. He had been in communication with the Treasury upon the matter; but he did not know, looking at the state of Public Business, whether he should be able to legislate on the subject this Session; but he would take the earliest opportunity of introducing a Bill on the subject.

MERCANTILE MARINE—THE CEFN-Y-WRACH SHOAL, CARDIFF.

QUESTION.

Mr. PLIMSOLL asked the President of the Board of Trade, If his attention has been drawn to the Memorial signed by more than fifty pilots of Cardiff, which states that the Cefn-y-wrach shoal at the entrance of the port of Cardiff constitutes a danger to ships of large burden leaving or entering the port, many vessels having grounded since the channel originally cut through the shoal has become useless, in consequence of its having silted up in at least three places; and, whether, under these circumstances, he will comply with the prayer of the Memorial, praying that he would send down a surveyor to examine and report upon the state of the shoal?

Mr. E. STANHOPE: Sir, my right hon. Friend the President of the Board of Trade has received, both from some Cardiff pilots and also from certain shipowners and shipbrokers at Cardiff, a request to send a competent surveyor to examine the Cefn-y-wrach shoal at the mouth of the Taff. It appears that the Bute Trustees, who originally cut the channel through the shoal, have given orders that the obstructions which have grown up in it should be forthwith removed by their engineer; and, therefore, until the result of the proposed operations of the Trustees is known, my right hon. Friend proposes to defer further consideration of the representations of the pilots and shipowners.

THE EASTERN QUESTION—THE CONGRESS—FURTHER PAPERS.

QUESTIONS.

The Marquess of HARTINGTON: I wish to ask the Chancellor of the Exchequer, Whether he can give us any information as to the Papers relating to the Congress which he stated would be laid on the Table and would be in the hands of Members this morning? Those Papers, I believe, are not yet in the hands of hon. Members, and I understand they have not yet been delivered to the House. Perhaps the Chancellor of the Exchequer will be able to state when we may expect to have them in our possession? I shall also be glad if he can give us any information as to the probable Business of the House for next week, especially with reference to the Message we understood yesterday we have reason to expect from the Crown—when it is probable that Message will be received by the House, and when it is probable the House will have an opportunity of considering any communication which is to be made to it?

THE CHANCELLOR OF THE EXCHEQUER: Sir, with reference to the first Question of the noble Lord, as to the Papers, I am afraid I misinformed the House if I said last night they had been laid on the Table. I was under the impression they had been, or immediately would be—my hon. Friend (Mr. Bourke) tells me they were laid on the Table—and what has caused the delay in their being distributed is this—It is the usual and proper practice, before publishing any Correspondence with foreign Powers, to obtain the assent of the Powers with whom the Correspondence has passed, to its publication. This has not yet, I think, in all cases, been obtained; but I understand it will be, and it may be expected very shortly. I hear the Papers will be delivered this evening, and will be in the hands of hon. Members to-morrow. I may say that the whole pith and kernel of the Correspondence—the important part—consists of those extracts which I read to the House yesterday. Then the noble Lord asks as to the course of Business? Well, it is within the knowledge of the House, that my noble Friend at the head of the Government stated it last night, in order that there might be no undue misapprehension or exaggeration as to what might be the intentions of the Government, that it was proposed shortly to take measures for calling out the Army Reserve and the Militia Reserve, and it was necessary, in order to take that step, that a communication should first be made to both Houses of Parliament. I apprehend it will be the most proper course that that communication should be made formally, and probably we shall be in a position to advise Her Majesty that that communication should be made to the House formally on Monday next. I presume the House would not do more upon the reception of the Message than appoint a day for considering the subject which may be brought before them. I should propose, when that communication has been made, to name a day when we will call the attention of the House to the subject of that communication; probably it will be convenient that it should be on the Monday following—Thursday next being fixed for the Budget—and there being no reason why it should be an earlier date than that. I think that would be the most convenient course. As this is the first time the step has been taken of making such a communication, it will be desirable we should ascertain what would be the most correct and convenient mode of proceeding.

EGYPTIAN FINANCE.—QUESTION.

MR. RYLANDS asked, with reference to the statement on the previous day that the Government was willing to allow Mr. Rivers Wilson to take part in the inquiry by the Khedive into the finances of Egypt, Whether it is the intention of the Government to send Mr. Wilson to Egypt; and, whether the Government will lay on the Table any Correspondence which may have occurred between the Egyptian Government and Her Majesty's Government on this subject?

MR. BOURKE, in reply, said, it was the belief of the Government that the Khedive of Egypt was anxious that Mr. Rivers Wilson should go out to that country as soon as possible. The Government were not sending him out; he was to be allowed to go, which was quite a different thing. He did not think there would be any delay in the departure of Mr. Wilson, but he could not state the day on which he would leave. It would not be convenient to the public service that that which had taken place should be published at the present time; but after the Papers had been considered by the Secretary of State for Foreign Affairs, they would be laid before the House.

THE EASTERN QUESTION — TREATY OF SAN STEFANO—THE MAPS.

OBSERVATIONS.

MR. NEWDEGATE observed, that now that these additional warlike preparations were announced, it was very desirable that the Chancellor of the Exchequer, who had placed in the Library a Map showing the boundaries which the Russian Government proposed to establish in Eastern Europe, would also place in the Library a Map showing how Her Majesty's Ministers proposed to correct the boundaries which Russia sought to establish.

Mr. SPEAKER: I beg to point out to the hon. Member that the House is now engaged in the consideration of Questions. The observations of the hon. Member are out of Order, not being in the form of a Question.

THE EASTERN QUESTION — THE RESERVES.—QUESTION.

Sir WILFRID LAWSON wished to ask, with reference to the statement which the Chancellor of the Exchequer had made, Whether some arrangement could not be made whereby this important subject might be brought before the House on an earlier day than Monday week?

Mr. PARNELL said, he would venture to suggest, in addition to what had fallen from the hon. Member for North Warwickshire (Mr. Newdegate), seeing the great anxiety which was now felt as to the safety of Her Majesty's ships in the East, that the right hon. Gentleman the Chancellor of the Exchequer should have placed in the Library a Map marked so as to show the positions at present occupied by Her Majesty's ships. [*Cries of* "Oh!"]

Mr. SPEAKER: The Clerk will now proceed to read the Orders of the Day.

ORDERS OF THE DAY.

MUTINY BILL.

(*Mr. Gathorne Hardy, The Judge Advocate, Colonel Loyd Lindsay.*)

THIRD READING.

Order for Third Reading read.

Mr. RYLANDS: I do not rise for the purpose of offering any opposition to the third reading of the Bill; but, as one of those Members who have acted in accordance with the wishes of the Government by refraining from taking part in the discussion or from proposing Amendments in Committee, I wish to be allowed to say that I think it is not creditable to the Government or to the House that we are called upon to pass a measure which is admitted on all hands to be full of imperfections. I have seen it stated that—

> "It bears about it on almost every page the marks of the rude, and, in all matters of discipline and punishment, the semi-savage age in which it first saw the light."

[Mr. Gathorne Hardy dissented.] I see the right hon. Gentleman considers this description of the Bill too sweeping; but, at all events, it is based upon a considerable substratum of truth. During the last 100 years, or longer, this Bill has been passed from year to year in almost the exact form, and without any attempt to amend its provisions. It is confessedly a bad Bill, and nine years ago the entire subject of military punishment was referred to the consideration of a Royal Commission composed of distinguished Members of this House, and other gentlemen of great authority. That Royal Commission presented a Report, recommending important changes in the Mutiny Bill and Articles of War, to which no attention has been paid. The Secretary for War said, in the discussion of certain clauses of the Bill in Committee, that "these clauses might be very badly drawn, but they were very well understood by the Courts which had to deal with them." If such was the opinion of the right hon. Gentleman respecting the clauses generally, I can only say that that opinion is entirely at variance with the evidence given before the Royal Commission. The illustrious Duke at the head of the Army attributed errors into which courts martial fell, mainly to the difficulty experienced by them in ascertaining the meaning of the wording of the Mutiny Act and Articles of War. A right hon. Gentleman formerly well-known in this House—Mr. Headlam—who had filled the office of Judge Advocate General, described the code as very confused, unduly long, and containing provisions that were unsuitable, unnecessary, and obsolete. Another ex-Judge Advocate General, the right hon. Gentleman the Member for Oxford University (Mr. Mowbray), was of opinion that military law was in a very confused, uncertain, and conflicting state—"perplexing to lawyers, and, he feared, unintelligible to soldiers." These views were confirmed by other witnesses, and accepted by the Royal Commissioners, who were of opinion that the simplification of the Military Code ought to have the immediate attention of the Government. That was nine years ago, and yet nothing effectually has been done to carry out the recommendations of the Royal Commissioners; and it was only last year, when the discussions upon the Bill were raised by hon. Members from Ireland, that the attention of the Government and the House was aroused to the importance of the subject. I may claim, on behalf of many English Members near me, that we are quite as anxious to see Amendments made in the Bill as the Irish Members can be. I think it a serious circumstance that, under the Mutiny Act, the Crown is enabled to make a criminal code of its own under the name of Articles of War—or, in other words, that it rested with the Prerogative of the Crown to determine what in the eye of the law shall be a crime if the offender be a soldier, and to determine, in most cases, what punishment shall be awarded for the offence. This power of making laws and fixing punishment without the sanction and control, or even the notice, of the Legislature belongs to a past age, and it is quite time that some change should be made in the system. There is an impression abroad that a soldier sometimes suffered for a mere thoughtless act, or possibly some intemperate expression, an amount of punishment which, in civilian life, would be applied only to parties guilty of brutal or dishonest crimes. It is a serious matter if the Articles of War are so drawn as to enable commanding officers to inflict severe punishment for comparatively trifling offences. In Returns laid before Parliament, I find there is a great disparity in the number of soldiers punished in different regiments; and it is worth the consideration of the Secretary for War whether some check should not be put upon the undue infliction of punishment by commanding officers. The country has the greatest interest in making the soldier satisfied with his condition. We have to enlist our recruits in the open market, and it is of great importance that men should feel confident of a just treatment and of a proper recognition of their personal rights when they joined the Army. The remedy for the present state of things is that the Articles of War should be sanctioned by Parliament, and that the offences and punishments of soldiers should be strictly laid down by the Legislature. I feel indebted to the Secretary for War for having promised to submit the provisions of the Mutiny Bill to the careful scrutiny of a Select Committee of this House. There has been some question as to the propriety of entrusting the subject to a Select Committee, but I entirely approve the course taken by the Government. We have had too many cases lately in which important matters have been referred to Departmental Committees, and have in that manner been taken out of the view of Parliament; which is, I think, open to serious objection. The right hon. Gentleman (Mr. Gathorne Hardy) told the House that he should submit to the Select Committee the draft of an efficient and practical measure thoroughly sifted by the legal and military authorities. That will, no doubt, be a great assistance, and will render it unnecessary for the Committee to be composed mainly of military and naval men; and I trust that there will be a considerable proportion of civilian Members placed upon it. I hope the result of the labours of the Committee will be to remove what must be admitted a scandal—namely, the introduction of a Bill year after year in the form in which it had been drawn 100 years ago, and the provisions of which had become obsolete.

MR. HERMON hoped the Report of the Select Committee on the Mutiny Acts would, together with next year's Bill, be brought before the House for consideration at the very commencement of next Session. The Articles of War should also be brought before the House in the form of a Bill. The desire to improve the Mutiny Acts was not confined to hon. Members on the Liberal side of the House.

MR. DILLWYN concurred in the observations of his hon. Friend the Member for Burnley. They had abstained from taking part in the discussion which had been held out of consideration for the position in which the right hon. Gentleman opposite was placed. Seeing that the opinions entertained by his hon. Friends on that side of the House were shared in by some hon. Gentlemen opposite, he trusted that the Government would seriously consider the matter with a view to the removal of the anomalies and obsolete enactments which were at present embodied in the Bill, and that the subject would not be burked by being sent to a Select Committee.

Mr. PARNELL observed, that taking part in a debate on the third reading of a Bill was like flogging a dead horse. He wished, therefore, that the hon. Member for Burnley had devoted his energy to an endeavour to have the Bill amended in Committee. Notwithstanding the strictures which had been passed on the conduct of the Irish Members for criticizing the provisions of the Mutiny Bill, and endeavouring to modify their severity, he believed that considerable benefit would ultimately result from their action.

Mr. GATHORNE HARDY said, he had nothing to complain of as to the observations just made by hon. Members. He was perfectly sincere in saying at the beginning that he intended the provisions of the Bill to be fully and fairly considered. As he had no desire to go again through the experience of the last few nights, he hoped the Bill would come before the House from the Select Committee in the shape in which it would receive general approval. He would not quarrel with hon. Members opposite for the credit they had taken to themselves in this matter; but would simply express a hope that when they again ventured to furnish here and there a grain of wheat, they would not encumber the contribution with so many bushels of chaff.

Bill read the third time, and *passed.*

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POST OFFICE—POSTMASTERSHIPS.

RESOLUTION.

Dr. CAMERON, in rising to call attention to the mode of appointment to Postmasterships in cases where the salary is under £100 a-year, and to move—

"That, in the opinion of this House, the responsibility of appointing to Postmasterships, whatever the salary attached to the appointment, should rest solely with the Postal authorities, and that the present system of making such appointments in certain cases conditional upon a nomination by Members of Parliament endorsed by the Patronage Secretary to the Treasury is anomalous, and calculated to interfere with the efficiency of the Postal and Telegraph Service;"

said, at present these appointments were made by the Secretary to the Treasury on the nomination of a Member of Parliament of the political Party who happened to be in power, and he did not think that it was desirable that such a state of things should continue. The present system often gave rise to very discreditable political jobbery; and, as an illustration, drew attention to what happened last year at Winslow, in Buckinghamshire. A clerk in the post office of a small town in that county, who had been five years in the service, who was well qualified, and whose application was backed by a numerous and respectably-signed recommendation, applied to the hon. Member for Buckinghamshire (Mr. Fremantle) for a nomination to that post office which had become vacant. The hon. Member wrote back to say that another person who had supported the Government at the last Election was also an applicant, and that he was bound to give that person the preference. Could there have been a greater display of *naïveté?* The hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) put a Question on the subject of that appointment to the Postmaster General last year, when the latter had replied that the appointment was made in the usual manner. Since that time a Circular had been issued stating that the nominations would be submitted to the Postmaster General, who would regulate them according to character and the interests of the public service; but there was not one word which would prevent the recurrence of such discreditable pieces of jobbery as had sometimes taken place. In many places there were no Conservative Members, and the nominations were made by Members for adjoining districts, who knew nothing of the local circumstances. In America a general movement was being made to do away with the system of making Civil Service appointments by political agents, in order to remedy abuses strongly satirized in the *Bigelow Papers*—

"You get me into the White House,'
Your head with oil I will anoint;
I will get you into the lighthouse,
Down by Gallen Point."

The hon. Member concluded by moving his Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the responsibility of appointing to Postmasterships, whatever the salary attached to the appointment, should rest solely with the Postal authorities, and that the present system of making such appointments in certain cases conditional upon a nomination by Members of Parliament endorsed by the Patronage Secretary to the Treasury is anomalous, and calculated to interfere with the efficiency of the Postal and Telegraph Service."—(*Dr. Cameron,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. FREMANTLE: As my name has been connected by the hon. Member for Glasgow with what he termed a discreditable piece of jobbery, I must ask leave to explain the circumstances of the case. In the autumn of 1876, a person named Francis, the assistant postmaster at Winslow, came to me, and said that he wished to succeed the postmaster, who was ready to resign, if I was ready to recommend him to the appointment. I said it was impossible for me to do that; I must wait until the vacancy actually occurred. He wrote to me afterwards to the effect that he thought I had misunderstood his application, and concluded by saying—"If you will do this, I will promise to vote for you at future Elections." I replied that I was obliged by his letter; but that I could make no such arrangement, as when the vacancy really occurred others who might be recommended by friends of my own might apply, and I could not do less than consider their claims as well as his. When the vacancy actually took place, six months afterwards, Francis, who naturally had early knowledge, went round and obtained a large number of signatures in support of his application. It was true that Francis had a knowledge of telegraphy, and that he was fit for the appointment; but, on the other hand, it happened that there had been great reason to complain of the manner in which business had been conducted at this post office. I consulted an hon. Friend of mine, a Member of this House, whose letters pass through the same post office, and he concurred with me in thinking that, on the whole, it was safer to have "new blood." Francis himself had admitted to me that the management had been very bad, and promised amendment. There was but one other candidate, a grocer named Wilford, who was a householder and shopkeeper in the Market Square, a man of good character, fit in every way to be a postmaster, and whose premises were well adapted for a post office. On the other hand, Francis had no house, and would have to obtain one if appointed; and he had actually attempted to influence me by offering to give me his vote. Under those circumstances I nominated Wilford, and I think I was justified in preferring him, although, it is true, he had voted for me. Since he has held the appointment the post office has been well managed, and there have been no complaints. I think, too, I might be excused, if ever such a thing were excusable, in writing to Francis, for having adverted to the fact that the other man was a supporter of the Government, as a kind of *argumentum ad hominem.* On the general question, all I have to say is that, I believe, all hon. Members of this House would be very glad if this troublesome patronage were taken away from them and placed in the hands of Post Office officials.

DR. CAMERON explained, that he had not used the words "discreditable piece of jobbery" in reference to any conduct of the hon. Member. If they could, by any construction, be supposed to apply to the conduct of the hon. Member, he begged most unreservedly to withdraw them.

MR. O'CLERY said, that in the matter of these appointments in Ireland, especially in the rural districts, the motto of "the spoils to the victors" was generally acted upon.

MR. MUNTZ observed, that the course usually adopted when a postmastership became vacant was for the Government of the day to write to the Member for the locality to nominate a person to fill it, and there was usually a great difficulty in his doing so. Instead of the Member exercising a right of patronage, he had to discharge what was a most responsible and troublesome duty. Ireland, of course, was different from any other country in the world, and he did not say the same thing happened there. The present system, however, worked well as far as the public service was concerned, and he did not see how the Postmaster General, who could have no local knowledge, could make better appointments than were now made.

Sir WILFRID LAWSON said, that the hon. Member for Buckinghamshire had satisfactorily explained his share in this transaction, he merely having nominated an honest Tory who had actually voted for him, in place of a humbug who had only promised to vote for him if he got the appointment. The present system, however, was open to the charge of political jobbery, and should be changed. The Postmaster General ought to be able to do his own business without the assistance of hon. Members.

Sir ANDREW LUSK suggested that it would be better if hon. Members left these appointments to be filled up at the discretion of the Postmaster General. He recommended the Government to make their own appointments without consulting anybody.

Mr. ADAM said, that although hon. Members often had considerable difficulty in finding persons fit to fill these posts, his opinion was that the present system had worked well, and to the satisfaction of the districts concerned. It had very little to do with politics, and the persons nominated were those generally known to be fit and proper persons for the posts. It would be rather sudden to make a change from the old system to that now proposed, and therefore he should oppose the Motion.

Sir WILLIAM HART DYKE said, that the hon. Member for Buckinghamshire had acted justly and wisely in refusing to nominate a man who had promised to vote for him. The hon. Member for Glasgow, who had brought this matter forward, appeared to think that a horrible state of corruption and immorality existed with respect to these appointments; but the facts did not warrant that assumption. Nothing could be more childlike in its simplicity than the correspondence that ensued whenever one of these posts became vacant. He wrote to hon. Members, asking them to nominate a suitable person for the office—married women, minors, and inn-keepers, being ineligible. The usual reply was that they had great difficulty in finding a fit person to fill the post, and in many cases they had to apply to the clergyman of the parish to recommend a candidate for it. The subject had been carefully considered by the authorities of the Post Office last year, and the permanent officials were of opinion that the present system of consulting Members of Parliament in reference to these appointments was a good one as far as the public service was concerned. He did not believe that the closest investigation would disclose any instance of these appointments being used for political purposes. The name of the office he had the honour to fill was a misnomer. He was called the Patronage Secretary of the Treasury; but the only patronage he had the misfortune to possess was the making of these small appointments, which had been to him a sore burden and distress.

Mr. ROBERTSON said, he would be glad to be relieved from the troublesome and annoying duty of nominating persons for these posts. He thought that if the Government placed the responsibility of these appointments in the hands of the Post Office authorities, they would be entitled to the thanks of the country.

Lord JOHN MANNERS (who was absent elsewhere upon public business when this discussion was raised) fully concurred in all that had been said as to the troubles and annoyance of appointing to these offices. The object of the hon. Member for Glasgow, who had brought forward this Motion, appeared to be to transfer that troublesome duty from his hon. Friend on his left (Sir William Hart Dyke) to himself, for which he was scarcely disposed to be grateful. If it were, however, clearly shown that by that transfer a public benefit would result, so great was his public spirit that he would cheerfully consent to be sacrificed, and to undertake this additional trouble. But after the question was raised last year by the hon. Member for Leicester (Mr. P. A. Taylor), the matter was carefully inquired into, and the conclusion that had been arrived at was that it would be better not to interfere with the existing system, which worked well, in the opinion of the practical officers of the Department, so far as the country offices were concerned. It was obviously most difficult to find suitable persons for these positions; and the only officers on whom the Post Office could rely were the district surveyors, of whom there were only nine for England, and they could not have a sufficient knowledge of the local qualifications requisite. To ask them to undertake the discovery of fit and proper persons in every small village would be to impose upon them an intolerable labour. All they could do would be to accept the recommendations of others, and in that way we should again be referred to the persons of the greatest local influence, who would give tolerably sound advice. But the opinion of the officers of the Department was that through the agency of local members the Post Office got the best recommendations it was likely to get; and, with few exceptions, the system had been found to work smoothly and well for 100 years, at least as regarded the rural districts. With respect to receiverships in towns, further inquiry might well be made. In London the appointment was vested in the Postmaster General, who, of course, acted on the recommendations of the district postmasters; and he believed the system worked satisfactorily. It might be a fair subject of inquiry whether, in the large towns, the filling up of the receiverships might not be left to the postmasters. In other respects the present system worked well, and he was not disposed to recommend the House to sanction the alterations suggested by the hon. Member for Glasgow. Therefore, he hoped the House would not be put to the trouble of dividing.

Question put.

The House *divided*:—Ayes 174; Noes 78: Majority 96.—(Div. List, No. 81.)

CRETE—THE CORRESPONDENCE.

OBSERVATIONS. QUESTION.

MR. SHAW LEFEVRE, in rising to call attention to the delay in producing the Correspondence relating to Crete, said, the House would recollect that when some days ago Questions had been put on this subject, the Government said the production of Papers might add to the existing excitement. Since then, Papers with reference to Greece had been laid upon the Table, and the House was surprised to find that, although they contained full reports with reference to the condition of Thessaly and Epirus, no information was given with regard to Crete. The whole Island, except three or four towns, was now in the hands of the insurgents, so that it was impossible to see how the excitement could be increased. He, therefore, wished to ask the Under Secretary of State for Foreign Affairs, Whether he will now lay upon the Table of the House any Reports respecting the disturbances in Crete?

MR. MONK said, he was at a loss to understand why the Foreign Office showed so much reluctance in producing the Consular Reports with respect to Crete. He could only suggest one reason—namely, that the Government were not aware of the serious state of the insurrection which had broken out through the length of the Island. When, on the 4th of February, the Under Secretary was asked by him if he had received information of a serious insurrection in Crete, he replied that since he had answered a similar Question put to him by the hon. Member for Reading on the 29th of January no despatch had been received. It now appeared that a telegraphic despatch from M. Delyanni, the Foreign Minister at Athens, had been communicated to Lord Derby by M. Gennadius, the Greek *Chargé d'Affaires* on the 3rd of February stating—"That the Cretans were in revolt, and the Christians of the other Provinces were following their example." He could not, therefore, account for the answer of the hon. Gentleman (Mr. Bourke) to the hon. Member for Reading (Mr. Shaw Lefevre), that the Island was not in a state of insurrection, except on the ground that the hon. Member himself was ignorant of the fact. There could be no doubt that the Cretans would strive to the last extremity to throw off the Turkish yoke, and it was time that any Reports on the subject should be communicated to the House. It might be that the Government were unwilling to produce the Ambassadorial Reports about Crete. In 1868, when he brought forward a Motion on behalf of the Christian population of Crete, Mr. Layard was the only man who rose in that House and expressed no sympathy with the Christians of that Island, while he contended that Turkey had conceded all necessary reforms to the Christian population of Candia. He (Mr. Layard) said—

> "The Constitution which Turkey was prepared to grant to Crete appeared to be almost everything that the Christian part of the Cretan population could desire."

It might have been so on paper, but the experience of the last 10 years had shown that it had not been so in practice. He should be glad to know what Mr. Layard said now. Perhaps Mr. Layard still believed it was possible for Turkey to retain its dominion over Candia; but if he did, he differed from Lord Palmerston, who said he was satisfied that the Cretans would not remain patient under a yoke which their brethren had shaken off.

MR. BOURKE said, the House would not be surprised at the anxiety shown by the hon. Members for Reading and Gloucester (Mr. Shaw Lefevre and Mr. Monk) from time to time to obtain information with respect to the affairs of Crete, because it was not only well known that they took much interest in the question; but because, for many years, the country had taken a very deep interest in the people of that Island. As to the suggestion about imperfect information, if his answers were referred to, it would be found, taking into consideration the order of their dates, that they were correct upon those dates, giving, as they did, the exact state of our information at the time. They all knew that the condition of affairs in the Island of Crete had altered very much within the last few months. He stated on the first occasion, when the hon. Member for Reading used the word "rebellion," that the Government had received no information that would justify them in saying there was a general insurrection in Crete. That was strictly true at the time. At a later period they learned that the entire of the Island, with the exception of some towns on the sea coast, was in the hands of the insurgents. On the subject of producing the Papers, he had taken the opinion of Lord Derby, who gave the subject full consideration, but thought that in the interest of the population, both Christian and Mussulman, it would be undesirable to produce them, because they might add to the excitement in the Island. One reason which had not been mentioned was that, owing to the exertions of the British Consuls, an armistice had been brought about between the insurgents and the Turkish officials, and Lord Derby did not wish to do anything to jeopardize the result he was anticipating—than which nothing could be more in accordance with the wishes of the Government. It was quite a delusion to suppose that any objection to the production of the Correspondence had been offered by our Ambassador, Mr. Layard, whose opinions on the subject it would be found were in accordance with the feelings of the Government, and, he believed, of the House. That had nothing whatever to do with the non-production of the Papers; the only reason was consideration for the interests of the population of the Island. With respect to the introduction of these Papers, he had said that their position was altered; and he thought it would be undesirable, standing there as the Representative of the Foreign Office pending the appointment of Lord Derby's Successor, for him to give a promise on the subject. Therefore, he hoped the House would be satisfied with what he had said now, and if the hon. Member would repeat his Question after he had had the advantage of consulting the new Foreign Secretary, he would be happy to answer it.

TREATY OBLIGATIONS.

OBSERVATIONS.

MR. COURTNEY, in rising to call attention to the Treaty of Paris of 1856 and the Protocol of the Treaty of London of 1871, said, the Motion of which he had given Notice was to this effect—

> "That while, according to the Law of Nations and the right interpretation of the said Protocol, no Power can arbitrarily renounce obligations once accepted by Treaty, it is equally true, according to the Law of Nations and the said Protocol, that no Power can arbitrarily insist upon maintaining obligations once created by Treaty."

He was fully aware of the inconvenience of discussing special matters relating to the present crisis; but he thought advantage might arise from an explanation given by the Government in answer to his Motion, which was of a general application. Now, his contention was that, while no Power could arbitrarily renounce obligations contracted under Treaty, it was equally true that no Power could arbitrarily insist upon keeping up obligations once made. The word "arbitrarily" was the key-word of his proposition. If half-a-dozen Powers assented together to a Treaty, that Treaty was liable to be affected by circumstances which might exist from time to time. If no change whatever had happened in the circumstances in reference to which the Treaty was contracted, it would be a purely arbitrary act on the part of any Power to declare that its obligations should cease because it wished its position under the Treaty to be altered. Again, circumstances might have altogether changed, so that the Treaty would be dissolved as a matter of fact, and five out of the six Powers might agree that the circumstances had changed so that their obligations were dissolved. It, then, would not be proper for the sixth Power to say—"Your obligations are not dissolved because I refuse my assent to a declaration that they are dissolved." That would be as arbitrary as the conduct of the former Power in declaring its obligations had ceased though the circumstances had not altered. Take the example of the Treaty of Vienna, which assigned the Belgian Provinces to the King of Holland. Those Provinces—the scene of the great campaigns of the last century and of the earlier years of this century, the "cockpit of Europe"—were annexed to Holland as the best safeguard of Germany against the restless ambition of France. Within 16 years, however, the Belgians renounced the authority of the King of Holland, and it became necessary for the signatory Powers of the Treaty of Vienna to re-consider the position of Belgium. If Prussia had refused to recognize the King of the Belgians, that conduct on the part of Prussia would have been an arbitrary and indefensible act according to the Law of Nations. It was quite plain what was the application of all this. They had heard of a Treaty agreed upon by two Powers—a Treaty which altered, to a considerable degree, the Treaty of Paris. Just as it was true that no party to that Treaty could arbitrarily set it aside, the circumstances not having altered, so now, those circumstances having completely changed, its obligations were to a great extent, if not altogether, dissolved, and no Power could arbitrarily insist upon setting up that Treaty as an invincible obstacle against the recognition of the new change. It could not be said the Treaty of Paris could not be altered without the concurrence of all the Powers concerned in making it. Without the concurrence of "all" meant without the concurrence of "each," though the language might be put in such a way as, apparently, to shelter those making it behind the consensus of nations. He was quite sure the Government would not take up this arbitrary course. They would probably say, that if they went to the Conference, they would not attempt to set up any clause of the Treaty of Paris simply because they thought it should be set up. They would set up what reason and right required, and their action would be directed towards the settlement of the peace of Europe. But he would point out to the Government that if they insisted that it should be a condition of entering into Conference that any Power should be obliged to submit all the regulations of the Treaty of San Stefano to the consideration and sanction of the Conference, it would then be in the power of any Government to assume a position of arbitrary self-will. If every new Article required the sanction of every Power, it would be competent for any such Power to refuse its sanction at its pleasure, and no one could reasonably ask Russia to subject itself beforehand to such a contingency. The reason why he had brought this before the House at this crisis was that it had been a remarkable, and to his mind a very painful, fact that during the last two or three weeks this critical question had been discussed with the utmost freedom upon knowledge often defective—very often erroneous—in the public Press in a way to inflame the public mind in England. A few words, simply illustrative of the conditions which were legitimate and which were illegitimate, might at all events be of some public use, without embarrassing Her Majesty's Government. In the Correspondence just published, Lord Derby had stipulated that every Article of the Treaty should be placed before the Congress, not necessarily for acceptance, but that it might be considered what Article required acceptance. But they all knew well enough that a majority of voices would not rule, and if each Member of the Congress were to say that such and such an Article required acceptance, it would simply put Russia at the feet of every other Power. In her reply, Russia claimed the same liberty for herself that was acceded to the other Powers; so that, on the part of Russia, there was an apprehension that by complying with Lord Derby's condition, she would be committing herself to a tribunal instead of a consultative body. And that appeared to be quite plain from the last sentence of Count Schouvaloff's despatch, which left to the other Powers the liberty of raising such questions in the Conference as they thought fit to discuss, but reserved for Russia the liberty of accepting or not accepting the discussion. Now, he submitted the language of Count Schouvaloff's despatch was perfectly justifiable in International Law; but it had been misinterpreted in some public prints. One, for example, said—"Russia puts a veto on the Conference;" another, that Russia denied to the Powers assembled at the Conference cognizance of the Treaty of San Stefano. She did not do so. What she did say was, in effect, that she was not bound to submit the Treaty to the concurrence of all the Powers; but was ready to consider the Congress as a consultative body, and not a tribunal. This subject had been so freely discussed in the Press, that what he had submitted to the House could not be productive of mischief to Her Majesty's Government or to the interests of the country.

THE CHANCELLOR OF THE EXCHEQUER: I do not complain for a moment of the tone or general tenour of the remarks of the hon. Gentleman. There is much in what he has said with which I should be quite prepared to agree. Upon some points, I think, when the hon. Gentleman has time to consider the Correspondence which will be laid before the House, he will see that he has not entirely appreciated the position and views of Her Majesty's Government. But I rise at this moment, not for the purpose of going into the question, but to express my earnest hope, if I may do so, that we may be allowed not to pursue this discussion at the present moment, but to go into Committee of Supply, for the purpose of taking a Vote which is essential. I take this course upon several grounds. With respect to the particular question now raised, it would be more convenient to discuss it, as the hon. Gentleman himself would admit, when we have before us the Papers which we must have in a very short time. With respect to the general position of our Business, I must remind the House that this is the second Morning Sitting arranged this week at great inconvenience to many hon. Members, and it has been specially arranged for to-day in order to discuss an important question arising upon a Vote in Supply which, it was hoped, we might get through to-day. This would enable us to redeem the engagements for Monday next, which it would be most convenient we should then be able to redeem. I do not wish to interfere with the course of discussion, but I do trust the hon. Gentleman will now allow us to go into Supply.

EGYPTIAN FINANCE.

OBSERVATIONS.

MR. RYLANDS: I do not rise for the purpose of entering upon the question introduced by the hon. Member for Liskeard (Mr. Courtney), but simply to direct attention to a matter which has already been referred to this afternoon. The Under Secretary for Foreign Affairs, replying to my Question as to whether it was intended to send Mr. Rivers Wilson out to Egypt with the view of assisting the Khedive in the management of his financial affairs, said it was not the Government who were sending him out, but that he was allowed to go. No doubt, there is a distinction, but what I want to point out is this. In 1876, in consequence of Her Majesty's Government interfering in the management of the Egyptian finances, a large amonnt of financial mischief was done in this country, and the opportunity given for a large amount of financial jobbing. If the Government allows a gentleman occupying a public position here to go to Egypt to act in conjunction with Egyptian officials, it must give the world an impression that Her Majesty's Government intend to assist the Khedive in his financial operations. On the last occasion, when Mr. Rivers Wilson went to Egypt, a most unfortunate amount of stock jobbery arose out of his mission, and in consequence of the Report presented by the right hon. Member for Shoreham (Mr. Cave) in 1876; and when I alluded to these circumstances at the time, the Chancellor of the Exchequer seemed to think I was making a charge against the Government; but I had not the slightest idea of doing so—and I am quite sure that Mr. Rivers Wilson, either before or since his engagement, would not assist any transaction such as I have alluded to. But the Chancellor of the Exchequer must have heard that a considerable amount of jobbing was committed in the Eyptian funds by persons in London and in Paris, who, no doubt, acted on information received from Egypt. If Mr. Rivers Wilson was a non-official person, there would not attach to his work the authority of the Government. There is a distinction between sending him and allowing him to go, yet the fact will remain that Mr. Rivers Wilson is Controller General in the National Debt Office, one of the most important services of the Crown, and he is allowed to go to Egypt to re-arrange the financial affairs of the Khedive. Certain of his opinions, or his proposals, or his reports will ooze out to the public, probably through some official of the Egyptian Government, and this information may be used by those persons interested in Egyptian funds. But this is not all. In consequence of the intervention of the Government in 1876 a number of people lost large sums of money through having been induced by the action of the Government to invest in Egyptian funds. I hold in my hand the Civil Service Estimates for the year, and among those sums, of which we shall be called upon to vote a portion to-day, is £1,500 for the salary of the Controller General of the National Debt. The salaries paid among the officials of this Office amount to £16,000 annually; and is it reasonable, when we pay these officials high salaries, that we should, at the same time, allow the chief official to go to Egypt in order that he may in some way arrange the financial business of the Khedive? Either Mr. Rivers Wilson should not be allowed to go, or else he should resign before becoming the financial agent of the Khedive. When he last went to Egypt he was away some months, and it was a question whether he should resign, for he expected a permanent appointment from the Khedive. He was away from his duty for a considerable period, and now you are going to send him away again. The question may be very fairly asked, is it necessary to pay an officer £1,500 a-year, and send him out to the Khedive? I do hope the Government will re-consider their determination, and appoint some gentleman, who, from his position, will not seem to impair the influence of the Government by mixing up its authority in the kind of transactions to which I have alluded.

SIR GEORGE CAMPBELL said, he was disappointed yesterday by the answer given by the Under Secretary for Foreign Affairs in reference to this subject; for Mr. Rivers Wilson ought to be asked to make choice between the service of Her Majesty and that of the Khedive, as the Government decided last year. He objected to the appointment because he apprehended that the selection of a public official for such a mission might be the first step in interference which might lead to another step and another till one might come to something like the sequestration and occupation of Egypt. Much might be said in favour of such a step in respect to the benefit it would confer on Egypt; but it would involve this country in great political difficulties, and increase her responsibilities to so great an extent that he thought we must consider it out of the question.

THE CHANCELLOR OF THE EXCHEQUER: I have no right to address the House a second time; but, as this question has been brought forward without any Notice, I may be allowed to make a few remarks in explanation of the real position of the matter. As hon. Gentlemen are aware, some little time ago an arrangement was come to between the Khedive and certain gentlemen who were the representatives of the bondholders who had claims upon Egypt. With that arrangement Her Majesty's Government had, of course, nothing whatever to do. Under the terms of that arrangement, as I was given to understand, it was agreed between the Khedive and his creditors that a certain portion of the revenues of Egypt should be left to meet the expenses of his Government, and that the residue should be applied to the payment of his debts. That went on for a short time, until this state of things arose. The Khedive represented that the money which had been left over for the expenses of his general Government was not sufficient for that purpose, and that consequently he was not able to pay his creditors. The creditors, therefore, were not paid. The result was that they went before the judicial tribunals, and these tribunals gave their decision in favour of the creditors. The Khedive, on the other hand, was not willing to accept the decision of the judicial tribunals. Now, that was a very inconvenient state of things; because, as hon. Gentlemen know, those tribunals are not like the ordinary judicial tribunals of any country, because they have been established by an European arrangement to which Her Majesty's Government and other Governments were parties, and if the authority of these tribunals were set at nought there might arise very serious complications, and difficulties of a grave political character might ensue. That was, therefore, one of the complications which we viewed with some anxiety. Another matter which caused us concern was that the Khedive is responsible for remitting to this country a certain portion of the Tribute he pays to the Porte for the purpose of its being applied to the payment of the Turkish Debt for which this country, as a co-guarantor with France, is responsible; and Her Majesty's Government found that that money was not forthcoming, the payments being in arrear, and there appeared to be some danger that default would be made under that head. Of course, there is another payment which the Khedive makes directly to this country in respect of the Annuity for the purchase money of the Suez Canal Shares. Under these circumstances, it was impossible for Her Majesty's Government to look with absolute indifference on what was passing in Egypt. We were informed that an arrangement had been again proposed for a better and fuller inquiry into the real condition of the finance of Egypt, with a view—if it should turn out that the calculations on which this arrangement had been founded were incorrect—to the creditors of the Khedive making some other arrangement among themselves. That appeared to Her Majesty's Government to be a wise resolution on the part of the Khedive, and we were glad to hear that such an inquiry was about to take place. It then became a matter of importance that the inquiry should be of such a character as to command confidence, and to impress upon the Khedive and upon the creditors the fact that a real *bonâ fide* inquiry had been made. It was suggested to Her Majesty's Government that it would be a very great advantage if the inquiry could take place with the presence of a gentleman of such position and so well acquainted with Egyptian matters as Mr. Rivers Wilson, who would meet a gentleman appointed from France, nominated, I believe, by the French Government—at all events, a gentleman connected with the French Administration. Those two gentlemen, together with M. Lesseps, who has been selected by the Khedive, with a Native official, and four members of the body that has the control of the Khedive's receipts, are, I understand, to undertake that inquiry. Under the circumstances, looking at the extremely critical position of affairs in that part of the world, and considering how undesirable it was that additional political complications should be raised, it seemed to Her Majesty's Government to be the simplest, best, and safest way of avoiding those political complications that, acting in harmony with the French Government, who were ready to proceed in the same way, we should allow Mr. Rivers Wilson to go out and take part in this inquiry. That is, in short, an explanation of what has occurred. I hope the hon. Gentleman (Mr. Rylands) will see that this step was taken with no desire to interfere merely for the sake of obtaining justice for the Khedive's creditors or anyone else, which would be a very inconvenient course to follow; but, in order to avoid the inconvenience of setting aside the authority of the judicial tribunals, which might give rise to claims on the part of other countries besides England, and to an interference with the affairs of Egypt. This step was taken also in order that we might look after our own peculiar interests, and I hope the House will not think it necessary to pursue discussion in the matter any further.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY — CIVIL SERVICE AND REVENUE DEPARTMENTS, VOTE ON ACCOUNT.

Supply—*considered* in Committee.

(In the Committee.)

Question [March 28] again proposed,

"That a sum, not exceeding £3,777,540, be granted to Her Majesty, on account, for or to.

wards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1879, viz.:"—[See page 174.]

MR. O'DONNELL begged to move to reduce the Vote by £2,100, which was down on the list towards the maintenance of the Queen's Colleges in Ireland. He made the proposition for many reasons. He believed that if he advanced no other arguments, the well-known unpopularity of the Queen's College system in Ireland, the well-known fact that that system was rejected by the overwhelming majority of the Irish people—and, practically, was unanimously rejected by that portion of the Irish people that consisted of Roman Catholics, for whose benefit it was especially intended—he should say that that argument alone ought to obtain the support of the House, and induce the House to express its opinion that the cost of the maintenance of these Colleges was one that should disappear from among public burdens. His opposition to the Queen's Colleges was based upon very many grounds. In the first place, the Queen's Colleges were a numerical failure; in the second place, they were an educational failure; in the third place, they were based upon principles radically hostile to revealed religion—and, for these three reasons, their continued maintenance ought not to be forced upon the Irish people. They were a numerical failure, for, year after year, the number of students in Arts attending the Queen's Colleges, with the solitary exception of Queen's College, Belfast, only about corresponded to the number of prizes and emoluments attached to these Colleges. In Belfast, the Queen's College was an exception to a certain extent—that was to say, that there were some 50 or 60 prizes; and, on an average, from 100 to 120, 130, or 140 students in Arts. In Queen's College, Galway, on the other hand, the number of Art students rarely exceeded by more than five or six or a dozen the number of scholarships and exhibitions, and other prizes. But the Queen's College, Belfast, had been practically adopted and practically recognized by the Presbyterian Assembly as in all respects essentially fitted for the secular education of the students for the Presbyterian Ministry. They had the evidence of the Moderator of the Assembly taken before the Commissioners who inquired into the Queen's Colleges, the evidence of the Professors, and the evidence of statistics, to show that Queen's College, Belfast, as regarded its Arts students, was still dependent upon the countenance of the Presbyterian Assembly, and that the bulk of the students in the Arts Faculty consisted of Presbyterian Divinity students; that the Professors in the Arts Faculty were gentlemen whose qualifications for their office had been recognized as deserving of the confidence of the Presbyterian Assembly; that no Catholic Professor had been intruded into the Arts Faculty to the class which the Presbyterian students were required to attend; and that in the entirety of the Arts Faculty, about 120, or, to speak correctly, 119 students, there was not a single Catholic. No one would pretend that a single Catholic student amongst 119 students in Queen's College, Belfast, represented the part which the Catholic population of Ulster ought to occupy and possess in the general education of Ulster. It must be admitted by the most fanatical admirer of these institutions, that in Ulster the comparative success of the Queen's University system was solely due to the fact that Queen's College, Belfast, suited the special requirements of the Presbyterian section of the Ulster population; and that, from the first day of its origin down to the present, the College had never obtained, and never deserved, and never sought to deserve, the certificate of approval from the Catholic religious authorities; but it had obtained a certificate of approval from the Presbyterian religious authorities. In Queen's College, Cork, there were simply as many students from year to year as there were educational emoluments to be disposed of. Altogether, they might take the annual average as about 60 students in each College, except Belfast, where there were about 120; and that was the sum total of the studenthood of Queen's Colleges who were in any particular within the influence of a liberal education. But, besides these Arts students, there was a body of Professional students, and they bore no relation to the Queen's College system in Ireland except that of being technically educated in the neighbourhood of an Arts Faculty. The class-rooms, and training-rooms, and dissecting - rooms of the medical students were simply to a greater or less extent under the same roof with the class-rooms of the Arts students; but beyond that fact, there was practically no other connection with the Queen's College system in Ireland. Now, he would ask the House to remember that when the Queen's Colleges were first established, this question of providing for the Professional education of Irish students by no means occupied the attention of the House; that the House was desirous of establishing a system of general and liberal education for the youth of Ireland, and that they did not consider then, just as on reflection they could not consider now, that establishments for merely Professional training could meet the liberal educational wants of the youth of Ireland. With the permission of the House, he would quote a few extracts from the evidence of Sir Robert Kane, the late President of Queen's College, Cork, before the Queen's Colleges Commission, and it was very important that the House should take note of this fact—that the Queen's Colleges were not established to promote mere Professional training; that they were established to promote a liberal education; and that it was only since their failure to answer the end for which they were established that the number of Professional students had been quoted as an instance of their success, or, rather, for the purpose of palliating, and to a certain extent disguising, their failure. Sir Robert Kane was asked—

> "But the studies, as originally framed, provided for the three Faculties of Arts, Law, and Physic?"

He replied—

> "I think not. The idea was, in the first instance, to develop the Faculty of Arts on a large scale. Subsequently to this it was proposed that the Faculties of Medicine and Law should be constituted, and I fully concurred in the subsequent arrangements made for those Faculties. The plan for the constitution of these Colleges had been brought up and approved by the Government on the supposition of there being but one Faculty—namely, that of Arts, with Schools of Engineering and Medicine."

Of course, when they recollected that the Faculty of Arts was the only proper University Faculty, the only Faculty which gave that general education which ought to be possessed by the Professional student before embarking on his Professional studies, the only education which converted an uncultured man into a cultured man, it was quite apparent that, looking to the want of general culture in Ireland, the House, at the establishment of the Queen's Colleges, could not imagine, and could not have imagined, that the want of general culture could be satisfied by providing the mere training schools of Professional knowledge. Engineering was a highly useful science. Their bridges, their railways, and their public works were necessarily indebted to it. Medicine was a highly useful and noble science; but the doctor, fully accomplished in medical knowledge, skilled in surgery, acquainted with the nature and the treatment of all possible diseases, was not a man who could be described as a man of education, unless, besides his Professional studies, he had made himself acquainted with polite letters, with liberal learning, with history, literature, the science of society, with the experience to be derived from the study of man in the past and in the present, with some fair knowledge of those literatures which were cherished as the best means of cultivating the taste and purifying the judgment—unless, in a word, the medical man was also an educated man, they recognized that, however valuable his services might be to the cause of humanity in his Profession, he could not be quoted as adding to the general sum of public culture. Well, in the Queen's Colleges, differing from so many other Universities, differing from all others worthy of the name—in the Queen's Colleges, from the first day the Professional student entered to the day he left possessed of his medical degree, he was not required to go through any Arts course whatever. He passed the Matriculation examination, he acquired during his first session some smattering of French—enough to enable him to smash out the meaning of those common Latinized words that were in both the English and the French languages, so as to enable him to get at the meaning of medical works written in the French language; but no history, no social science, no Latin or Greek letters, no modern letters, nothing of a general liberal education was ever demanded from, or was ever impressed upon, the Medical student of the Queen's University. In the University of Dublin, up to a late date, and, he believed, up to the present time, although the demoralizing influence of the example of the Queen's University had already gone a great way towards lowering the standard of education in the old University of Trinity College—up to a recent date, at any rate, no student of Trinity College could obtain a degree in the University of Dublin as Bachelor in Medicine without having previously gone through his course in the Faculty of Arts, and, as he was informed by the hon. and learned Member for Limerick (Mr. Butt), that was still the rule. On the contrary, the Doctor in Medicine of the Queen's Colleges could take his degree, and need not produce any other degree whatsoever, either from the Queen's University, or any other University, in attestation of his having passed through an Arts course. The House would at once perceive the vast difference. The medical men of the University of Dublin could be quoted to the credit of the University; because, as a fact, they had passed through the Arts course. The medical men of the Queen's Colleges could not be quoted to the credit of the Queen's University in Ireland, for the very simple reason that they had not passed through any Arts course. Notwithstanding that, year after year, in the elaborate speeches that were delivered at annual vacations at the Colleges, and too often by official Gentlemen in the House, the number of students attending the Queen's Colleges—without any distinction being made between the Arts students and those mere nominal students in the Medical Schools—were all lumped together, and quoted as being glowing evidence of the progress of the Queen's Colleges in the affections of the people of Ireland. It was deplorable that the Queen's University should have been driven to those shifts; it was deplorable that the Queen's University, instead of impressing upon its Professional graduates the obligation of literary culture, should actually have quoted those mere Professional students as instances of the success of the University system of which they were only nominal members. But what was more deplorable still was the persistent manner in which officials in the House allowed their eyes to be blinded to the facts of the case, and quoted year after year these sham instances of University education for the purpose of turning aside and avoiding the just complaints of the people of Ireland. During the 30 years of its existence the Queen's University had only produced 1,000 graduates, which was an average of little more than 30 per annum. Now, were even the Arts graduates really what they ought to be? The Arts course at the Queen's University was of only three years' duration, beginning with the Matriculation examination and ending with the Degree examination; and the character of the education given might be judged of from the nature of the examination imposed upon students entering, and students graduating. Before the Queen's College Commission, one of the witnesses admitted that half the boys at Harrow knew a great deal more than the students who entered the Arts Faculty of the Queen's College, Cork. The Professor of History and English Literature in the Queen's College, Belfast, stated that he could hardly insist upon students being rejected at the English Matriculation examination, however great their deficiency in English might be; and when his attention was called to the fact that a student who proceeded to Medicine would not have his knowledge of English tested in any subsequent year, the witness admitted that a man might go through the whole course of the College and obtain a degree in Medicine without having any competent knowledge of the English language. He added, however, that of course he would not pass a student who came utterly ignorant of the English language—a saving clause, which spoke volumes for the knowledge of the English language and literature which students entering the Queen's University were expected to possess. The Professors of Greek, Latin, Mathematics, and French all made the same confession. The President of the Queen's College, Belfast, roundly stated that students came with nothing that could be called classical knowledge, French knowledge, mathematical knowledge, or any kind of knowledge whatever. Professor Thomson, the Greek Professor at the Queen's College, Galway—previously a schoolmaster at Edinburgh—recently admitted that in becoming a Professor his duties had not altered in the slightest degree, the work of the College so far as Greek was concerned being, in fact, the rudimentary work of schools. Of course, students admitted with that amount of ignorance could not be turned out real graduates, with a three years curriculum. The problem, then, which presented itself to the governing mind of the Queen's University was how to turn these extraordinary students into apparent graduates, and the course upon which they had hit was, in the first instance, to establish 17 varieties of honour degrees, by which students of the most limited capacity were enabled to pass. These students only required, so to speak, one-seventeenth of the general mass of knowledge which it was desirable they should possess. Then, those who chose to pass without honours—and they were the great majority—were allowed to select from some 13 subjects variously marked, of the value of one or two each, so as to reach a total of four. Thus "English Language and Literature" was marked two, Mathematical Science, two; Latin, one; Greek, one; Political Economy, one; and so on. Provided the students selected subjects which totted up to the value of four, he might vary his course to any extent. The Committee would perceive, therefore, what little guarantee for a general uniform system of education was given by these University Colleges. The innumerable permutations and combinations to which he had referred would be largely diminished if there was a high standard for the Matriculation examination—some security that the students entering possessed a certain amount of culture. Leaving out of sight the fact that they could pass for the Degree examination with a sort of piecemeal knowledge, it was plain that, entering the University as they did with the rudiments of Greek and Latin still to learn, and with a mere superficial knowledge of Mathematics, French, English, and so on, they were only sham students, and at the end of three years could only be sham graduates. That a number of distinguished men were to be found amongst the 1,000 graduates which the Queen's University had turned out did not affect the question. It was only to be expected that amongst that number there should be some ambitious spirits who would not be bound down to the strict requirements of their University education. Amongst the graduates of the Queen's University he could quote distinguished members of the Dublin Bar, of the Indian Civil Service, &c.; but it was not by such exceptional instances that the good or evil influence of the University could be tested. It was by the nature of its Matriculation examination and of its Graduate examination—for it was this alone which set the general standard of culture throughout the country. He would now ask the Committee to consider whether the system of intermediate education in Ireland could be real when it had to compete with a University of this kind, which constantly drew off schoolboys and transformed them into collegians, when in reality they were only schoolboys. It was impossible for schoolmasters to keep their schoolboys at school long enough for them to master the elements of education, in presence of the attraction of University scholarships and of a University reputation. To return to the University, he would point out that not only was the examination for the pass degree so unfortunately varied, but the standard in each branch was extremely low. According to the Regulations of 1868, the examination in Greek for the degree of Bachelor of Arts extended to two books of *Xenophon*, and to the 9th Book of the *Iliad of Homer*, with prose composition in Greek; the examination in Latin comprised *Sallust* and the *Satires* and *Epistles* of Horace; and the examination in History only extended over English History from the year 1603 to the year 1702. Notwithstanding that its educational requirements were so low, the Queen's University was a failure, numerically speaking, and on that ground, also, he opposed the granting of money for its support out of the public funds. Neither he nor anyone in that House, to his knowledge, was anxious to deprive the Secularists of the benefits of a University education in Ireland; but his indulgence did not extend to the providing of the Secularists with a sham secular education. He claimed for the people of Ireland that the present sham system should not be continually quoted against them as a reason for denying them the benefits of a system of education in conformity with their religious convictions and their educational requirements; and that they should not be called upon to support a system of education that was no less hostile to secular knowledge than to Catholic faith, and even to revealed religion.

These Colleges, in a word, were hostile to the communication of sound and thorough learning in any respect whatsoever.

Motion made, and Question proposed, "That the Item of £2,100, for Queen's Colleges, Ireland, be omitted from the proposed Vote."—(*Mr. O'Donnell.*)

Mr. O'SHAUGHNESSY also opposed the Item, not merely from a desire to establish religious equality, but also from a conviction that under the present system of education in all its branches—University, intermediate, and primary—the Irish people of every class were left without the means of enlightenment and capacity for progress which they were entitled to enjoy. He believed there was scarcely a single short-coming in the national character which could not be traced to the defective system of education prevailing. Not merely in polite letters, and in their knowledge of Latin and Greek, but in general education, the Irish middle-class of the present day did not stand on a par with the generation that was passing away. Now, he attributed this to some extent to the Queen's Colleges; which not only were ineffective in their own spheres, but had caused the disappearance of good intermediate schools. Finding themselves unpopular, they had done everything in their power to draw away boys from the intermediate schools, and their allurements had been too successful. They had, in fact, killed the intermediate schools. In the town of Galway, a few years ago, there was an excellent intermediate school which sent up good students to Dublin University; but since the establishment of the Queen's College in that town, it had declined and died away. A new and excellent intermediate school did exist under the control of the Jesuits; but it was only by resisting the Queen's College on religious and other grounds that this school maintained its footing. Although the Queen's Colleges were unacceptable to the mass of the people, still, if they performed their duty with dignity and imparted something like an adequate Arts education, they might have done some good—they might have given a tone to the intermediate schools from which their matriculated students came, and established something like competition amongst them. The London University, which maintained a high standard of Matriculation examination, had affiliated to it, he believed, two Roman Catholic Colleges in Ireland, and even in that limited way had done a great deal for intermediate education in Ireland. No doubt there were men sent forth by the Queen's Colleges who ranked very high at the Irish Bar for general culture as well as Professional skill; but in Ireland the general study of literature, &c., seemed always to be associated with the study of the law, and he rather thought it was the Bar which had made these men what they were. Of course the means of obtaining a good University education existed. The Irish people did not complain that it was not possible to get a good education at the Queen's University. What they did complain of, so far as the education there furnished was concerned, was that students could obtain the degree of M.A., ranking in appearance with the degrees of Oxford or Dublin, without being really entitled to it, and that medical men could pass their examination without the knowledge which they ought to possess. The Chief Secretary for Ireland admitted that the University question in Ireland ought to be dealt with, and that the demands of the people of Ireland for a system of education consonant with their religious feelings ought to be considered. Now, if he saw any reason to believe that this admission on the part of the Chief Secretary would be followed up by legislation, he should hesitate to offer opposition of the present kind. But what was the fact? The Chief Secretary had been twice asked this Session when the measure he indicated was to be brought forward, and on each occasion his reply was that that depended upon whether the Grand Jury Bill was proceeded with this Session. Now, did the Government mean to say that if hon. Members from Ireland, in their discretion, chose to object to a certain measure of reform in one direction in Ireland, they were not to be allowed to have a measure of reform in another direction—namely, one dealing with the subject of intermediate education? Such a principle, if they persisted in it, could only be regarded as a principle of punishment and retaliation, and would call for the most active opposition which the Irish Members could bring to bear on other measures in that House. He felt so convinced of the necessity of legislating on this subject in all its branches, that he should avail himself of every Form of the House for the purpose of promoting it; and in that course, he believed, he should be backed up by the Representatives of every popular constituency in Ireland.

Dr. WARD regretted that it should be necessary to attack an institution which, with all its faults, had certainly done a great deal of good in Ireland, and which he, for one, looked back upon with gratitude and pleasure. But the action of this and of preceding Governments left hon. Members from Ireland no choice. It was rare that that House had even partially attempted to grapple with the difficulties of education in Ireland, and year after year the people of Ireland had to submit to its incompetence or disinclination to deal with a system which the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had described, in introducing his University Bill, as "intolerably bad." Thus, the Irish Representatives were forced to oppose Votes and Estimates which they could not but regret opposing, in order to obtain the consideration of their case. He would not enter into the various questions raised by the hon. Member for Dungarvan (Mr. O'Donnell). There was much in what the hon. Member had said as to the defects of the education given at the Queen's Colleges; but many of those defects were due to the Government having placed the Queen's Colleges in a most anomalous position—as secular institutions in an intensely religious country. If the Queen's Colleges, therefore, had had to resort to questionable means to obtain students, it was the Government and not the Colleges who were to blame. The whole system of education in Ireland—primary, intermediate, and University education—required revision. In England and Scotland the Universities were independent of the State, but in Ireland every department of education was under the Governmental yoke. The Irish people objected to this system almost as much for its official as for its secular character. They did not object to secular education in itself; but they complained that the Roman Catholics, for their part, should have no State recognition, no aid from the public purse, whilst forced to pay for a system they objected to. The Government exercised in Ireland a spirit of intolerance which they dared not show in England or Scotland; and, as long as they persisted in that spirit of intolerance, they must expect opposition on the part of the Irish Representatives in that House. The merits of the various Colleges were beside the question. What he and others insisted upon, and must insist upon continuously until they obtained it, was a system of education for Ireland which should be untrammelled by the Government, and which should allow the Irish people to educate their children in accordance with their religious convictions.

Mr. PARNELL regarded it as proved that the Queen's Colleges did not supply the amount of University education of which the people of Ireland stood in need, and that, notwithstanding the efficient instruction given in certain branches, their degrees were far from being what they ought to be. The education that these Colleges supplied, in fact, was of the most imperfect and rudimentary character, and entirely unworthy of the name of University education. It was thought that doses of public money would cure Irish grievances; but this money the Irish people did not want. Part of it was Irish, no doubt; but it was raised for the purpose of providing University education, properly so-called, and this was not supplied. It was not sufficient that the Queen's Colleges should supply good intermediate or primary education. That was a different branch of the subject which the Irish people were entitled to have considered also. These Colleges did not supply the education required of them, and until they did so they ought not to obtain grants out of the public funds.

Sir JOSEPH M'KENNA said, he would freely admit that much might be said in favour of the Colleges as Professional training schools, and he would not rest his opinion on the grounds of their deficiency in the Arts degrees, although they were no doubt defective in that respect. He would have protested against the existence of these Colleges even if they had been model Schools of Arts; because they had been formed in defiance of the wishes of the people of Ireland. The name given to them in Ireland spoke whole volumes against them—they were called the

"Godless Colleges." The Irish people had taken very strongly to heart the fact that rather than acknowledge their religion—rather than treat it with the respect to which it was entitled as an ancient Christian faith—the Government had preferred to construct a system of Colleges in which, according to the popular sentiment, which he was not prepared to repudiate or modify, the influence of religion and the existence of the Deity, so far as education was concerned, were ignored. For himself, he based his objection to the Queen's Colleges on the broad ground that they were made suitable for a Pagan and not a Christian people. The primary aim of the Government, in his opinion, ought to have been to satisfy the religious aspirations of the people. This, however, was not done. He did not charge those who had formed the Colleges with any desire to injure Ireland, but he maintained that the boon which they had professed to give had proved to be an evil. That morning he had received a communication from Dublin informing him that a great meeting was shortly to be held under the auspices of very high personages, for the purpose of considering the whole subject. Owing to the form in which it came up, the subject, unfortunately, could not be more than incidentally discussed by hon. Members on the present occasion. He would, therefore, suggest that for the present the Item for the Queen's Colleges should be withdrawn. He did not know what difficulties there might be in the way; he only suggested this course as one which would be peculiarly gratifying to the people of Ireland, as indicating a desire on the part of the Government to consider the subject of these Colleges.

MR. A. MOORE said, he was sorry the Irish Members were compelled to make this resolute stand; but their constituents really felt they laboured under what was no less than a civil disability in regard to education. While the Protestants had Colleges and Endowments, the Catholics had none, although they contributed their share of the Imperial taxation. This Parliament had existed for four years, yet the Government had made no attempt to supply this want, simply because no agreement could be come to as to the bases upon which this education should be employed. They never could be content with anything but a purely denominational education. Granted that they were wrong in this demand, was it wise, just, prudent, or generous, even then, to so retard the progress of a country because they could not agree as to the way in which education was to be given. These Queen's Colleges were nothing but a standing insult to Ireland. Irishmen asked for education based on religious principles; and the very Conservative gentlemen, who educated their sons on these very denominational principles, refused to them the very things they themselves maintained. They asked for education based on religious principles, and they offered to the most religious people in the world pure secularism. This compelled him, and those who agreed with him, to take up a very strong position. Many of them did not wish to be associated with Obstruction, or with wilfully delaying the Business of the House; but their position in this matter was a purely defensive one. They had rights to maintain, and they must maintain them, or they would not be true to their constituents, or no longer worthy of their confidence.

MR. LYON PLAYFAIR said, when the full discussion came on he should be prepared to show that the very thing objected to—the large Professional element in Queen's Colleges—was absolutely necessary for a poor country like Ireland. In Scotland they had found that by associating University culture with Professional training they secured the conditions of education required for a poor country, even although it was richer in mineral resources than Ireland. The Universities originally arose from the wants of Professional classes. Their training therefore should be encouraged, for it was a lamentable mistake to measure the success of the Queen's Colleges by their Faculties of Arts. It would be a better standard to ask how many doctors, engineers, and lawyers, they produced. Hon. Members complained that the Matriculation examination was not sufficiently severe. No Universities in the world had exclusive examinations barring the portals of entrance except Ireland. The Universities of Oxford and Cambridge had none, though some of their Colleges had. The Scotch Universities had none. It was true that London University had, for it was not a teaching body, but a mere examining

University. Their Matriculation was actually the first step to the degree, like "moderations" in Oxford, or the "previous examination" in Cambridge. The Universities should be freely open to all, for their function was to teach the ignorant, not to shut their portals upon them because they were ignorant. He was sure Irish Members would not desire to destroy Colleges which were ministering to the material prosperity of Ireland.

Mr. PLUNKET said, he and many hon. Members who were anxious to take part in the debate and to defend the Queen's Colleges from the charges brought against them, did not intend to speak on this occasion, because the Government declared it was most important that they should get a Vote in Supply that night; and, therefore, they would defer their observations till some other of those numerous occasions which they had been assured should be afforded them for debating this question.

Major NOLAN hoped, that, whenever the Government brought on this Vote, they would give full and ample Notice of it, in order that the Irish Members might have full Notice of the debate, and be able to come over for it. He did not believe in the power of convincing the House of Commons on this question. They might have all the argument on their side; but, on this question, they would get very little justice. But a large and determined Irish vote must make an impression both on the House and on the country. As to the two points raised by the right hon. Gentleman the Member for the University of Edinburgh (Mr. Lyon Playfair), they had nothing whatsoever to do with this question. He believed it was very largely true that Universities in poor countries must be chiefly Professional; but the objection of the Irish Members to this Vote was entirely a religious one. He had no doubt they would get a very large Irish majority against these Votes, although the Government could count on two Irish official votes—those of the Attorney General and Solicitor General—and could be sure of a certain amount of support from the men who had the best chance of office. No doubt, also, a very large majority of the Irish people were opposed to their money being spent in this way. The system of Queen's Colleges was opposed to the genius and spirit of the people, and the Irish Members were now resolved to make a determined stand against it.

Mr. SULLIVAN said, that Irish Members were determined to have religious equality in educational rights, whether of levelling up or of levelling down; and the time had come for hon. Gentlemen opposite to make up their minds which it was to be. They must frankly understand that the hour had come to terminate the anomalous state of things which had hitherto existed in Ireland. He would ask English Gentlemen whether Oxford and Cambridge were of value in their country? What would England be if those Universities were closed for 25 years? Let them endeavour to realize the educational starvation the growing generation would have to suffer if their Universities were swept away, and Universities were put in their place as little in sympathy with the English character and feeling as the Queen's Colleges in Ireland were with the Irish. England had put upon them this educational famine. After for centuries proscribing all education, when a great debt was due to the Irish people, which it would take 100 years not merely of religious equality, but of generosity, to compensate for the moral malformation among the people, what had been the course of the English Government? It had been that described by Sidney Smith, when he talked of setting up butchers' shops along high-roads where the population did not eat meat. They were offered a system which it was known was repugnant to their religious convictions, and were told that they must starve or feed on the dish provided for them. The Irish people loved education, and they were sorry that they were obliged to do violence to their educational desires in order to maintain their religious convictions. He would ask the Statesmen in that House to contemplate the condition of a people who were governed after the fashion of refusing them everything they desired, and of having something else offered them in its place. While England clung tenaciously to the system of religious education, she offered to the Irish—a most religious people—what a Conservative Member of the House had called the Godless system of Queen's Colleges. They were asked by some English journals whether there was a religious multiplication table or rule of three? That was all very puerile. Of course, the exact sciences could be taught by anybody, whether he was a heathen or a Christian; but how would that principle act in teaching moral philosophy and history, for example? The study of history was being absolutely shunted in these Colleges in order to keep up the miserable tight-rope balance of being neither a Catholic nor Protestant. How, for instance, could Professors deal with the Inquisition? As a Catholic, he abhorred it; and, if he were a Professor, would tell his students that Catholicism had been disfigured and nearly destroyed by acts done by the State in the name of the Catholic religion. But no Professor in the Queen's Colleges dared teach history like that in a frank and independent manner. He wished the House to admit that enough time had been spent upon an experiment which, he admitted at one time, commended itself to many wise and good men, who were ignorant of the hardships they were imposing on the Irish people. But this was over and done with; for they had determined that the educational future of the Irish people should not be sacrificed to a theory and an experiment which had utterly broken down.

Mr. J. LOWTHER said, he recognized the very moderate and reasonable spirit in which this subject had been introduced. He could not follow hon. Members on that occasion into their detailed criticisms of these Colleges; but, whatever the merits or demerits of the system, the responsibility for it had been fully assumed by preceding Parliaments, and that decision had been acquiesced in by hon. Members for Ireland. The hon. Member for Limerick (Mr. O'Shaughnessy) had said that he (Mr. Lowther) had made use of what amounted to a threat in reference to intermediate education and the Grand Jury Bill. Nothing was further from his intention. He merely said that the time at the disposal of the Government was limited, that they felt themselves bound to bring on the Irish Grand Jury Bill, and that, as a general principle, it was unwise to introduce Bills until there was a reasonable prospect of proceeding with them. He never said that, unless the House passed the Grand Jury Bill, the Bill for Intermediate Education would not be introduced. He hoped the House would consider that the effect of the refusal of this money would be to stop these Colleges. Were they prepared for that? The hon. and gallant Member for Galway (Major Nolan) said he was, but he doubted whether the Irish people would follow him in that. He did not at all object to these comments on the Vote of Account, for he could assure the Committee that he was very strongly opposed to the system of taking Votes on Account at all. It was only absolute necessity which compelled the Government to take them. The Ministry were not altogether masters of the time; but he would endeavour to give reasonable Notice of the time when the debate would be resumed.

Mr. COGAN said, he should vote for the Amendment as a protest against the way in which the Government had dealt with this question of University education in Ireland. Government after Government and Statesman after Statesman had admitted that Irish education required amendment and alteration; but the Representatives of the present Government did not hold out the most distant hope that this Government would attempt to deal with this matter. So long as the educational wants of those who conscientiously objected to a mixed system were not provided for on equal terms with those who had not such objections—so long there remained civil disabilities imposed on religious and conscientious convictions; and it was unjust to vote money for one and not for the other, thus unfairly handicapping them in the race for educational rewards.

Question put.

The Committee *divided*:—Ayes 42; Noes 237: Majority 195.—(Div. List, No. 82.)

Original Question put, and *agreed to*.

Resolution to be reported upon *Monday* next;

Committee to sit again *this day*.

The House suspended its Sitting at five minutes to Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE EASTERN QUESTION—RUSSIA AND ENGLAND.

QUESTION. OBSERVATIONS.

THE MARQUESS OF HARTINGTON: Mr. Speaker—Sir, I must ask the indulgence of the House for a few minutes while I venture to interpose between the Motion which has been made and hon. Members who have Amendments upon the Paper. I do this in order to put a Question to the right hon. Gentleman the Chancellor of the Exchequer, and I wish to accompany that Question with a few observations in explanation. I wish to call the attention of the House for a moment or two to the Papers which were laid upon the Table of the House last night, although, I believe, they are not yet in our hands. It has, however, been stated by the right hon. Gentleman the Chancellor of the Exchequer that the portions of those Papers which he read last evening contained the most essential parts of the Correspondence on which my Question is based; and it will, therefore, I think, perhaps be not irregular if I venture to say a word or two in regard to them. The House will have observed that the Correspondence to which the right hon. Gentleman referred began with a despatch of Her Majesty's Government to the Austrian Government, and that, as far as we were informed, was the only despatch contained in the Correspondence which had passed between any of the Governments other than those of Her Majesty and of Russia. Now, I venture to think that the Correspondence which has been so described must be quite inadequate for the purpose of giving to the House all that full information which ought to be in its possession, if not at the present, at an early period. The Correspondence, as far as we know, contains the terms of the conditions which were raised by Her Majesty's Government as a preliminary to our entrance into the Congress, and it also contains the objections raised by Russia to the conditions desired by the Government of Her Majesty. But we know perfectly well that —to say nothing of the Governments of other nations — the Governments of Austria and Germany were deeply interested in the assembling of the Congress. We even know that the original invitation proceeded from Austria, and that the Governments of both Germany and Austria have taken and have shown in various ways a very warm and strong interest in the assembling of the proposed Congress. In fact, the questions which the Congress was to assemble to discuss were European questions, and were not in any sense questions which were alone confined to the consideration of this country and of Russia. Well, it is asserted—I do not know with what truth — but it has been asserted frequently, and it has not been contradicted, that the Government of this country stands alone in insisting upon the conditions which they raised as a preliminary to their entrance into the Congress, and that their refusal to join the Congress on the terms formulated by Russia has not been shared by any other European Governments. Now, under these circumstances, I think it must be quite clear to the House that communications must have passed between the Government of this country and the other European Governments in addition to those which have been laid upon the Table. It is impossible that in the state of things which I have described the Government should not have sought to obtain, and should not have obtained, information as to the views which were taken on this subject by the Governments of Austria and Germany, not to speak, as I said before, of the views entertained by the other Powers; and it seems to me that this House ought to be placed in possession of that Correspondence and of those communications — or, at all events, of such parts of them as it may be in the power of the Government to lay upon the Table. We have a right to information which will enable us to judge not only of the actual attitude taken by those Governments, but of the view which they take of the general position and of the position of this country as opposed to the view taken by the Government of Russia. I think, that under any circumstances, there would be the strongest reason for asking the

Government to lay upon the Table the Correspondence to which I am referring. I think that in circumstances of such gravity as those which now exist—the probable failure of the assembling of the proposed Congress — a Congress which it was hoped would be the means of restoring peace to Europe —and of restoring tranquillity and good government to those Provinces in the East of Europe which have lately been the scene of a terrible war—it would, in any case, I think, under circumstances such as these, be desirable that the House should be placed in possession of the information, for which I am now asking. But I think the necessity for these Papers is greatly increased, and rendered much more imperative by the nature of the announcements which were made in the two Houses of Parliament yesterday. In "another place," it was stated that, in consequence of the abandonment of the hope that the Congress was about to meet, Her Majesty's Government had found it necessary to take the measure of making the necessary preparations for calling out the Reserve Forces. I need not dwell upon the gravity of that announcement; I need not ask Her Majesty's Government to anticipate the information which will be conveyed to Parliament by them in Her Majesty's Message on Monday next; nor need I ask them to anticipate the statement which the House will have a right to expect from Her Majesty's Ministers in support of the Message; nor need I say anything of my own to press further upon the House the gravity of the announcement that has been made. But I may, perhaps, be allowed to remind the House that, by a simple reference to the Acts of Parliament, to which allusion was made in this House yesterday, it will be seen that the Message which we are to receive on Monday from Her Majesty, by the advice of Her Ministers, must contain an announcement that we are at present in circumstances of either imminent national danger or of grave emergency. The gravity of a situation which can be—and we know must be—described in those terms, needs no comment from me, and is incapable of exaggeration. In these circumstances, it was my intention to have abstained—and I hope the House will think that it will be right to abstain—from any comment on the measure which has been taken—or which has been announced to be taken—by Her Majesty's Government. I think it is due to the Government, and also to Parliament, that we should wait, before making any comment on that measure, for the statement which will be contained in Her Majesty's Message, and for the further statement which may be made by Her Majesty's Ministers. But if it is the intention of the Government—as I infer from what has been said that it is—that the House is in the course of the next week or the week after to be called upon to express an opinion on the measure which has been taken, it is absolutely essential, I think, that the House should be in possession of the greatest possible amount of information. Now, Sir, we cannot be expected to express any intelligent opinion on that measure, unless we know the events which have preceded, and which have formed the necessity for it. And I venture to think that the Correspondence for which I am asking, containing the statement of the attitude which has been taken by the other Powers of Europe, and the statement of our attitude in regard not only to Russia, but to the other Powers, is an essential element in the consideration of this measure. I think that the House ought to know whether, in this grave national crisis, we stand or not in a position of isolation. It has been our misfortune—I do not say now owing to what causes—but it has been our misfortune, more than once in the progress of these events, to stand in a position of complete isolation among the European Powers. I think it is due to the House that we should know, before we enter on the discussion of the measure which the Government is about to propose to us, whether we stand again in that position of isolation; and, if so, in consequence of what causes and for what reason do we find ourselves in that unfortunate position? Sir, it is for these reasons that I venture to ask the Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Government to lay on the Table further Correspondence respecting the communications that have passed between them and the other Powers with regard to the meeting of the Congress?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I cannot for a moment complain, either of the Question which the noble Lord has put to me, or of the observations with which he has prefaced it. At the same time, I must ask the House to consider fairly the peculiar position of the Government at the present moment. The circumstances — I wish to speak as gravely and as frankly as possible—the circumstances in which we stand are simply these. The answer which was received from the Government of Russia to a very important communication which had been made by Her Majesty's Government was received and laid before the Cabinet only on Wednesday. The result of that communication was that a resolution was arrived at by Her Majesty's Government, which was to the effect that it would be desirable and proper that Her Majesty should be advised to exercise the power which is vested in Her by certain Statutes, of calling out the Reserve of the Army and of the Militia Forces. As soon as that resolution had been taken, my noble Friend the Foreign Secretary (the Earl of Derby) dissented from it, and felt himself obliged to tender his resignation. Yesterday, my noble Friend announced that fact in the House of Lords; and it appeared necessary to the Prime Minister—and such was the feeling of all his Colleagues—that, in order to prevent any exaggerated opinion as to what might possibly have been the cause of that important step on the part of my noble Friend, it was right and proper that he should state what the particular ground was upon which that step had been taken. And, therefore, it was that the decision of the Cabinet to recommend Her Majesty that She should exercise that power was communicated to Parliament yesterday. I am sorry that it should have been necessary—although it certainly was necessary—that that decision should be communicated to Parliament before the Papers which were prepared, or were being prepared, were laid on the Table. It would have been more convenient, both for the House and for the Government, that simultaneously the Papers should have been laid on the Table, and that Parliament should have been put in possession of and be able to discuss them at the time when the decision I have referred to was announced. But the House will, I think, understand that it was with the object of preventing misapprehension, which might have been serious and inconvenient, that that statement was made before the Papers were ready. Well, the Papers will be produced as speedily as possible; and I may say now, I believe, with confidence—and in this my hon. Friend the Under Secretary of State bears me out—that they will be in the hands of hon. Members to-morrow morning. But, as the noble Lord and the right hon. Gentlemen opposite, and those who have served in Cabinets, well know—and, in fact, it will suggest itself to every Member of the House—it is impossible that we can produce Papers containing Correspondence with foreign Governments on the spur of the moment, without in the first place ascertaining that the publication which has to be made of those despatches will be made with the consent of the Government with which we have been in communication. Therefore, it is necessary that there should be a short delay, in order to ascertain that what is to be published is published with proper authority. I understand that that authority has been obtained, and that these Papers are now in a state in which they can be properly laid on the Table. And when they are in the hands of the House, the noble Lord will see that they contain, not only communications between Her Majesty's Government and the Government of Russia, but also communication with other Powers. I have no desire in any way to restrain the liberty of the House to discuss this question as fully as they think necessary; but I would venture to put it to the noble Lord, and to hon. Gentlemen generally, whether it will not be more convenient to wait a day or two before entering into a discussion into which we cannot now enter with any advantage? I hope and believe—in fact, I am sure—that the Papers which we present will be in the hands of the House to-morrow morning. The course we propose to adopt is that we should on Monday bring down the Message which Her Majesty will be advised to send to this House, announcing that She has thought it right to take steps towards exercising Her statutory authority to call out a certain portion of our Reserve Forces. That communication will be made on Monday; and I should propose, if it is the pleasure of the House, that the communication from Her Majesty should be taken into consideration on Thursday. Of course, I mentioned earlier in the day the

Monday following, my reason being that Thursday next is the day which was set apart for the Financial Statement. It is not very convenient to alter the day for the Financial Statement; but I shall be perfectly prepared to put that down for Monday week. There will be no great inconvenience in that postponement for two or three days, with the understanding that if the discussion which will begin on Thursday should occupy more than the Thursday and the Friday—if that day should be available—it will not be resumed until the Tuesday following, so that the Financial Statement, if it is not made on Thursday, may be made on the Monday following. It would be inconvenient in many ways that it should be postponed any longer. I hope that this will be an arrangement which will be satisfactory to the House. It is not at all the desire of Her Majesty's Government to avoid in any way a full discussion of the position in which we stand; but I would venture to repeat that we have taken this step in consequence of the communications which have been passing between ourselves and the various Powers which are interested in this settlement, and that we feel that the time has come when it is necessary that we should take a decided step in this matter. I may say, generally, that what I understand to be the position of Europe at the present crisis is this. For a number of years—more than it is necessary now to recall—for a considerable number of years, the settlement of the Turkish Empire and of the Provinces lying in the South-East of Europe has been regarded as a matter of European concern, and has interested most, if not all, of the nations of Europe. For the last 20 years, at all events, it has been governed by Treaties which were solemnly entered into by a number of the principal Powers of Europe. Circumstances have occurred which have undoubtedly destroyed or materially altered the basis of the settlement which was arrived at 20 years ago, and there can be no question whatever that it is important that a full and candid examination of the situation should be made, and that those Powers which have been interested in maintaining the status of Turkey for so many years should now be consulted as to the position in which it stands, and as to the position in which it is desirable that that part of Europe should stand for the future. Well, we do not for a moment attempt to close our eyes to facts which are perfectly patent, and which it would be foolish to attempt to lay aside. We cannot for a moment close our eyes to the very great changes which the past year has wrought; and we cannot deny that the issue of the war, which has now been brought to a close between Russia and Turkey, has been so to affect the situation as that it is perfectly right and proper that a fresh examination of the situation should ensue. And, the point of departure being the old settlement under which Europe has so long existed, it is not inconvenient that we should take, as the basis for discussion, the new arrangements entered into in the preliminary Treaty of Peace between Russia and Turkey. But it would be impossible, of course, that any fair consideration could be given to that Treaty and to those arrangements, and to the whole question, unless the whole question is to be fairly open for discussion, and unless it is to be understood that each and all of the arrangements which affect the various Powers of Europe should be made a fair subject of discussion in any Conference which it may be intended to hold for the settlement of the questions we have attempted to consider. Well, that is all England has asked. We have not attempted to stand on any punctilio, or any question of form. We should have considered it most unjustifiable to do so. We have not desired to throw any impediment in the way of a fair settlement of this question on its merits. We have desired that there should be free and fair consultation and discussion of the various Articles of the Treaty, if that is what is to be placed before the Conference. We think in what we have proposed we have only asked that which is reasonable. We are sorry, and we do not understand why a difficulty should have been raised on the part of any Power to what we have demanded; and we are sorry that, owing to difficulties which we own we are not very well able to understand, there should be an appearance of a difficulty in the settlement at which we have desired to arrive. We have done what we could, and we regret that it is not more satisfactory; but, that being the case, we have to consider what the position of this country is, and what our interests demand. We have to consider the position of this country as one of the Great Powers of Europe, and as having an interest in common with the other Powers in a European settlement, and we have further to consider such interests as may be in any way more peculiar to this nation; and, therefore, it is necessary that this country should, either in Conference or in any other manner, maintain these interests, and maintain the position which we occupy. But I hope that, having explained the view which I take of our position, I may be excused from entering now into any details as to the course which it may be our duty to adopt. Parliament, no doubt, has a perfect right to demand a full and perfect explanation of our policy, and to put any question, and to demand to have the information on any points that it requires. But I would venture to point out—I do not now go into matters of detail—but I would venture to point out this, with regard to the particular step which we are now taking in advising Her Majesty to call out these men of the Reserves. More than a month ago we invited the House to grant us a Vote of Credit for a certain sum of money. It was remarked at the time that we did not ask for any additional men. We replied, that there was no object in asking for any additional force of men, because there were men available if Parliament chose to give Her Majesty power to call them out. These are the Forces to which reference has been made; and the effect of this step, if it should now be taken, will be that the men will be called into the Forces, and that the British Army will be augmented by the amount of the men of the Reserve to which the communication will point.

Mr. GLADSTONE: Sir, I am not at all surprised at the caution which the Chancellor of the Exchequer exhibited at the beginning of his speech, or at the request which he made to the House that we should abstain from discussing this question on its merits—that we should wait for the information which is to be laid on the Table—and that we should keep our minds unbiassed and unprejudiced until that information had appeared. A more fair demand could not be made. It was entirely conformable both in spirit and in letter to that which has fallen from my noble Friend (the Marquess of Hartington); but I confess I was surprised when the Chancellor of the Exchequer did not set the first example of that which he had himself laid down, but that—although he did not enter into details—he should set forth in very intelligible terms the bases of the justification which the Government intend to present to this House for the course which they have taken. Now, I shall endeavour to observe the rules laid down by the Chancellor of the Exchequer more accurately than he observed them himself. I will not venture upon any counter-statement of the general presumptions which appear to me to lie against the proceedings of Her Majesty's Government, until those proceedings shall be further and more sufficiently explained. This, however, I am obliged to do—I am compelled to enter my protest against the attempt of the Chancellor of the Exchequer, after he had laid down the principle that there was to be no discussion, to prepossess the minds of the House in favour of the general intentions of the Government, when, according to his own notion, it was totally impossible for the House to appreciate those proceedings. Against such a thing as that I should enter my protest, by whomsoever it might be done, and particularly do I do so when it is done by the Leader of this House. I am bound to say that my knowledge of the question is too limited for me to pronounce any final judgment. My knowledge is confined to what was read by the Chancellor of the Exchequer yesterday; but I am also bound to say, after what has fallen from my right hon. Friend, that so far as his statement goes, and the statements of history carry me, I am not prepared to admit—I am prepared to contest—the accuracy of the account which he has given. I go no further than that. I proceed upon information which I know is partial, and I hope that a very different impression will be produced upon my mind when I know the whole case, and that I may come to understand why it is that we are solely responsible for the failure of the Congress, without the co-operation of any of the other Powers. Upon the whole of that portion of the subject I carefully reserve my judgment, and I even venture to repeat that very reasonable demand which my right hon. Friend so properly made and which he so unquestionably departed from, that this discussion may not be entered upon on the present occasion, and that the whole matter may be reserved for the impartial consideration of the House on another occasion.

MR. DILLWYN wished to ask the Chancellor of the Exchequer when the effect of the Proclamation would take date? Would it date from the time when it was laid before the House on Monday first, or from the time when the House should have the opportunity of discussing it? It seemed to him that it was incumbent on Her Majesty to afford the House an opportunity for discussion before She made the Proclamation. It must also be matter for regret to many that the right hon. Gentleman should postpone the discussion of the Budget until after this Proclamation. He thought it desirable that the Budget should be known before entering on a discussion which might involve this country in the expenditure of unknown millions, and embark it in unknown difficulties.

MR. FAWCETT said, he would be the last to force on the House a discussion on Papers they had not had the opportunity of seeing, nor would he say a single word on the policy of calling out the Reserve Forces. Whatever his opinions might be on the subject, it was due to the Government and due to the House carefully to refrain from expressing those opinions until an opportunity had been afforded for hearing from the Government a defence of what they had done. But it appeared to him that there was one Question put by the noble Lord (the Marquess of Hartington) which the Chancellor of the Exchequer had carefully abstained from answering, and that was a Question to which they had the right to demand an explicit answer, which could not be misunderstood. The Chancellor of the Exchequer was pleased to say that the position of the Government at that moment was peculiar. Yes, it was peculiar; but there was something far more serious than the peculiar position of the Government, and that was the peculiar position of this country in the eyes of Europe and in the eyes of the civilized world. What was the information received within the last few days? What was the question raised by the noble Lord at the head of the Government? It was that England had insisted on certain conditions with respect to the Conference, and that no other Power of Europe had thought it worth its while to insist on these same conditions. Therefore, it seemed to him that the House and the country had a right to require from the Government an answer to the question—Did England stand alone, or did she not stand alone in her demand that the Treaty should be placed before the Conference, and would that demand being pressed prevent the Conference meeting? It seemed to him this was a subject upon which the Government ought to give some information, for, from every hour they delayed in giving Parliament information, this country suffered. Let them all know what had taken place that day. During the last hour he had been tempted to enter into a speculation as to the depreciation of the value of the securities of this country. ["No, no!"] Yes, if it was necessary that the property and securities of this country should be depreciated, there was no loss that would not be borne if the people were told it was to defend the honour and interests of the country. But they could not conceal from themselves this fact—that the English people, from the depreciation of their property, were some £20,000,000 or £30,000,000 poorer than they were 48 hours since. They knew what a disturbance of trade would be caused by this suspense. There was beginning to be some rift in that depression, but that would be closed up. Therefore, the Question he wished to put to the Government was this—he had carefully refrained from expressing an opinion as to the policy of calling out the Reserve Forces, he had carefully abstained from expressing an opinion as to Papers the House had not had an opportunity of considering; but he wished to ask the Government this plain question—Did England stand alone in pressing the demand on Russia that the Treaty should be submitted to the Conference, or, in this, was she joined by other Powers whose interests were as vitally at stake? It seemed to him, without any anticipation of the discussion next week, that the Government could give some information on this point; because he ventured to say that there would be great relief to the English people tomorrow morning if the Government could tell them that in this demand

England was joined by the other European Powers. There was a common belief that she was pressing demands in which she was not supported by Germany, Austria, Italy, or by any other of the European Powers.

Mr. ASSHETON CROSS: Sir, I do not wish to prolong this discussion for a moment; but I must say I believe my right hon. Friend the Chancellor of the Exchequer has taken the proper course in merely anticipating what I am sure would be the entire desire of the House—namely, that we should not only not express any opinion on this stage, but that we should abstain even from discussing the subject until we have full information before us. I think the right hon. Gentleman the Member for Greenwich (Mr. Gladstone)—though I do not wish to question his right to say so—was not correct when he said that the Chancellor of the Exchequer had gone further than he ought to in explaining what the views of the Government were—I say I have no doubt the House will agree with me that my right hon. Friend only desired that there should be no reserve in this matter, and that he was anxious to give to the House and to the country, within the limits which he himself had laid down, every information which could be imparted in the circumstances. In answer to the Question of the hon. Member for Hackney (Mr. Fawcett), which has been fairly put, I think the only reply which it is possible for me to give is this—he must really wait to see the Papers which will be laid before the House. All of them which it is in our power to communicate will be laid upon the Table. I see the hon. Member smiles; but he will see in a moment the force of what I say. When Correspondence does take place, not only between individuals but between nations, it would not be right, —and might very reasonably be complained of by hon. Members opposite—if, not having the Papers before them, we were to put what they thought a forced construction upon them. It would be very much better, therefore, that the documents should speak for themselves, and then every Member can draw his own conclusion. That, I think, is a fair answer to the hon. Member for Hackney. I hope, therefore, the House will be satisfied with the ventilation of the question which has been given at this stage, and with the statement of the Chancellor of the Exchequer that the Government have no wish to delay for a moment the full discussion of this subject. Although the most important of all questions at this time usually is the Financial Statement, the Chancellor of the Exchequer is willing that it should be postponed until this subject is brought forward in the first place, though, if the discussion be very prolonged, he cannot wait until it be concluded.

Major NOLAN reminded the Government that no answer had been given to the Question of the hon. Member for Swansea (Mr. Dillwyn).

Mr. ASSHETON CROSS, in answer to the hon. Member for Swansea, said: What I understood to be the undoubted fact, so far as the Statute is concerned, is that, when Parliament is sitting, the Queen, before She can call up what are called by a misnomer the Reserve Forces, but what should be properly designated Her Reserve Force, is bound to communicate to Parliament a Message stating that it is Her intention to do so. If Parliament is not sitting, Her Majesty is bound to give notice to the country by Proclamation—by an Order in Council —that such is Her intention.

Major NOLAN asked from what date legal effect would be given to the Proclamation? Would it date from Monday?

Mr. ASSHETON CROSS: Sir, there is no Proclamation in this case; but there will be a communication made to Parliament by Her Majesty, on the responsibility of the Government, to call out the Reserve Force at any moment She may choose. If the Government have been wrong in giving that advice, the House will know how to deal with it in due time.

The Marquess of HARTINGTON: Sir, I desire to say just one word in explanation. I feel that I would hardly have been justified in taking the course I have done in raising the present discussion—and for which I am responsible —if I had clearly understood what I now understand to be the nature of the Papers which are to be laid upon the Table of the House. My excuse is, that I understood the Chancellor of the Exchequer to say this afternoon that he had read yesterday all the essential portions of the Correspondence. It will be in the recollection of the House when I say that the extracts so read by the right hon. Gentleman had no bearing whatever upon the views which were taken on this point by other Powers. I now understand, from the statement made by the Chancellor of the Exchequer and the Home Secretary, that Correspondence has taken place with other Powers besides Russia, and that we are to wait to see what is contained in it. I think the House will thus see that I was justified, from the statement made by the Chancellor of the Exchequer this afternoon, in assuming that the Correspondence to be laid on the Table had no reference whatever to anything except what had passed between our Government and that of Russia.

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

FACTORIES AND WORKSHOPS BILL.

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

[BILL 126.] THIRD READING.

Order for Third Reading read.

MR. FAWCETT said, that he did not intend to offer any factious opposition to the Bill passing, and he must repeat the observations he had previously made—namely, that the Bill unduly interfered with the hours during which adults might work. That kind of legislative interference with adult labour deserved the most anxious consideration of the House. He was not one of those who took a gloomy view of the commercial position of this country; but no one who had devoted the smallest attention to the subject could deny this fact—that English trade had to carry on a much keener and much closer competition now than it had to carry on with foreign countries 30 years since; and it seemed to him, to say the least, a perilous position for the House, in the face of this keen and close competition, to say what should be the length of the hours to be worked by any particular industry, not leaving that question to be decided by those who were the most interested and those who were the most concerned—namely, the employers and employed. Five years ago, there was a Bill before the House which was called a Nine Hours' Bill. That Bill was made a Nine and a-half Hours' Bill; but what security had they that some day they might not have an Eight and a-half Hours', an Eight Hours', or even a Seven Hours' Bill? If they once sanctioned the principle of saying that the House should decide what should be the length of a day's work in our great branches of industry, they could feel no security that they would stop at nine and a-half hours. It might come to nine hours, or it might come to eight hours. Again, there was another aspect which this country ought to remember when dealing with such a question. He denied altogether the right of the House to place any impediment whatever in the way of the women of England earning their own livelihood. It was all very well to consider an ideal state of society, in which every woman, when she came to a certain age, should be married and be in a comfortable condition of life, the husband working for her and she at home looking after her domestic duties and attending to her children. That, no doubt, was an ideal which they would all like to see realized. But in politics they had not to do with ideals. They had to face hard facts, and what were the facts with regard to the social condition of this country. There was no fact which was truer, there was none which was more apparent than that hundreds of thousands, he might almost say millions, of women were not thus provided for by husbands, and they had to earn their own livelihood in the best way they could. If they closed to them the avenue of honest employment, depend upon it, at the same time, they opened wide the portals which led to vice, misery, and ruin. He knew it was constantly said that the women of this country had not complained of this legislation. He believed that statement was not altogether correct, because he had received frequent complaints from different parts of the country of the injustice which was inflicted upon women by this legislation. But it was impossible for the Home Secretary or the House to measure the mischief which might be done to those women who had to earn their living by employment at those industries, by legislative interference such as that which was contained in that Bill. If they said to the employers of this country—"You can employ men without any legislative restrictions, but if you employ women we shall impose upon you all kinds of restrictions; you must only leave your workshops or your factories open at certain times; you must have fixed times when your workpeople shall take their meals." What would be the result of all that? Why, no one could doubt that it placed impediments in the way of employing women; it rendered their employment less advantageous than it would otherwise be, and by rendering it less advantageous there was nothing more certain than that they diminished the value of that labour, and by diminishing its value decreased its remuneration. Therefore, from whatever point of view the subject was looked at—whether from the point of view of the general industry of the country, or whether from the point of view of the effect it had upon the social condition of the women of the country who had to earn their own livelihood, he maintained that the House was going beyond its legitimate functions in attempting to intervene with regard to regulating the hours of labour and conditions under which adults should be permitted to be employed. But nothing was further from his intention than to offer any factious opposition to the passing of this Bill. He was aware that the great majority of that House was against him; he was also aware that the great majority of the country at the present time was against him. He believed, however, that public opinion was advancing in the direction of industrial freedom, and the sole reason he had had in making these remarks was that another day, when public opinion might possibly have changed, it should not be said, if then he attempted to raise the question again—"You sanctioned this principle in 1878 without protest; you then allowed the re-enactment of this legislation without objection." He hoped the Home Secretary would think that he had not unduly opposed his Bill. He had not gone further than the limits of Parliamentary opposition, nor would he ask the House to express its opinion upon the third reading of the Bill. He knew the issue would be an erroneous one, because some portions of the Bill all approved. Certainly, he approved of the regulations which secured the education of children, and was intended to prevent their excessive employment. Therefore, a division on the third reading would be a division against portions of the Bill with which they all agreed, as well as those to which he objected. He had, however, ventured to trouble the House with these few remarks in order to place upon record, as he had done in the past, that he objected to the House attempting to interfere with regard to adult labour.

Mr. ASSHETON CROSS said, no one could possibly appreciate more than he did the action of the hon. Member for Hackney (Mr. Fawcett). He had a strong objection to some parts of the Bill, but he had not trespassed upon the House in the slightest way unduly, and he (Mr. Cross) was much obliged to him for the course he had taken that night. At the same time, he honestly differed from the hon. Member for Hackney to a great extent, and he thought it but right to give expression to his views, as the hon. Member had done; and, being a native of the county of Lancashire, where a great many manufactories existed, all he could say was, after having read everything he could lay hands upon which related to the subject—and he thought hon. Members would agree with him—that the state of the manufacturing populations since the introduction of the Factory Acts had considerably changed; whereas, if the Factory Acts had not been passed, the populations in these counties would have considerably deteriorated. In fact, they were actually deteriorating when the Acts were passed; and, that being so, he hoped it would be a long time before the House interfered with their working. He desired to make one remark as to the time when the Bill came on for consideration. To everyone who asked him about the Bill, he said it was impossible that it should be brought on that night. But it did come on, and he would remind the House that, with the exception of two, every Amendment on the Paper was accepted by him that night and introduced into the Bill; and although hon. Members who had Amendments on the Paper were not all present, he announced to the House all the Amendments he had accepted. The Amendment of the hon. Member for Glasgow (Mr. Anderson) he did not introduce into the Bill, and for this reason—that his noble Friend the Lord President of the Council was introducing a Bill into the House of Lords that evening, in which a clause relating to the casual employment of children, and to which the Amendment of the hon. Member for Glasgow referred, was introduced. Therefore, he thought it was much better to come down in that way. The hon. Member for Tipperary (Mr. Gray) would acknowledge that the most important of his Amendments were accepted; and as to one he did not accept, he thought he should have been able to show, had the hon. Member been present, the great difficulties in the way of adopting his views, and to which he was sure the hon. Member would have assented. He thanked both sides of the House for the way in which they had assisted the Government in passing the Bill through Committee in all its stages, and he hoped that might be considered for a long time a settlement of the question. It would, at all events, be a great boon to all those who were in the habit of seeing the Factory Acts carried out, for they would be able to see in a Bill of about 100 clauses exactly what the law was, and not have to look from Act to Act for information—so that, he believed, hardly an Inspector, having to deal with the Acts, could thoroughly give an honest opinion as to what really was the state of the law. He thought the fact that they had gained that was something. It was not the theory of the Factory Acts that Parliament wished to interfere in the least with the hours of labour of any person who, in the opinion of Parliament, was able to think for himself and judge what number of hours he could work without detriment to his health. Therefore, men had always been excluded from the Bill as far as hours were concerned; and as far as safety was concerned, that was another matter. As far as the labour of women was concerned, he quite agreed that wherever adult women could be left alone they should be. The hon. Member for Hackney had made a mistake when he said the Bill would interfere with the labour of ordinary women who were working for their own livelihood. It did nothing of the kind—with such women it had nothing whatever to do. In fact, anyone who went through the Bill would see that the tendency had been to relieve, to a great extent, many cases of restriction upon adult women from the provisions of the old law. He again thanked the Committee and the House for the attention they had given to the Bill, which, he hoped, would now be read a third time.

MR. ANDERSON said, as one who had Amendments on the Paper to the Bill, he felt it his duty to corroborate what the right hon. Gentleman had said. He had given up all intention of moving his Amendments, the right hon. Gentleman having informed him that they had been adopted as clauses in an Education Bill now passing in the other House.

MR. MACDONALD said, the hon. Member for Hackney (Mr. Fawcett) had said that the Bill was a reflection on the great body of people who had been entrusted with political power. He disputed that statement entirely. The Bill was not intended to protect those who were already protected by their friends, but to protect those who were open to and liable to have injustice done them. He was glad the right hon. Gentleman had brought in and carried that Bill—a fact which would redound to his honour and credit as a statesman. He was confident that the people of this country would never return to the condition of things relating to the employment in factories which existed 30 years ago; and if the hon. Member hoped to live to see a return to those times, he (Mr. Macdonald) believed he would arrive at an age which no one had ever yet been known to attain.

SIR HENRY JACKSON agreed with the hon. Member for Hackney (Mr. Fawcett), that the least possible restrictions should be put on female adult labour; but he must add that, instead of increasing those restrictions, that Bill lessened them. He congratulated the Home Secretary on having achieved what was a most useful result—the consolidation of an enormous mass of matter. They knew the difficulty which had arisen from the former state of things, and he hoped the assistance which the right hon. Gentleman had had from the House in passing that Bill would induce the Government to turn their attention to the many other subjects which required similar treatment. If the Home Secretary, when the day came for him to retire from office, left behind him many as useful Consolidation Bills as the one they then had under consideration, he would certainly have earned the thanks of the whole country.

MR. GRAY observed, that in his absence the other evening the Home Secretary had accepted two Amendments of his, to which he attached real importance. A good deal of feeling had been excited in Ireland in reference to the subject to which he was going to call attention; and the Amendments he was going to move, as they now stood in the Bill, would give perfect satisfaction and remove all difficulties. He thanked the Home Secretary for having accepted his Amendments.

Bill read the third time, and *passed.*

PUBLIC WORKS LOAN [ADVANCE OUT OF CONSOLIDATED FUND].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise further Advances out of the Consolidated Fund of the United Kingdom of any sum or sums of money, not exceeding £6,800,000, to enable the Public Works Loan Commissioners in England, and the Board of Works in Ireland, to make Advances for the promotion of Public Works.

Resolution to be reported upon *Monday* next.

LIBEL LAW AMENDMENT BILL.

[BILL 81.]

(*Mr. Hutchinson, Dr. Cameron, Mr. Cowen, Mr. Puleston, Mr. Morley, Mr. Waddy, Mr. Edward Jenkins, Colonel Gourley.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [15th March], "That the Bill be now read a second time."

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after Ten o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 1st April, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Factories and Workshops* (57).

Second Reading—Education (Scotland) (47); Mutiny.

Select Committee—Contagious Diseases (Animals)* (37), The Lord Crofton *added.*

Committee—Entail Amendment (Scotland)* (28); Public Baths and Washhouses* (39).

Mr. Gray

VICTORIA—THE CONSTITUTIONAL CRISIS.—QUESTION.

THE EARL OF KIMBERLEY asked the noble Earl the Under Secretary of State for the Colonies, Whether any further information has been received as to the "dead-lock" between the Houses of Legislation in the Colony of Victoria?

EARL CADOGAN said, that on Saturday a telegram was received at the Colonial Office from the Governor of Victoria, which led the Government to hope that the crisis was at an end. The telegram was in these terms—

"March 29.

"Council have finally accepted proposed compromise. Crisis happily ended. Appropriation Bill will be passed forthwith and Session closed next week. General public satisfaction at this settlement. Political animosities will soon subside."

MESSAGE FROM THE QUEEN.

CALLING OUT OF THE RESERVE FORCES.

THE EARL OF BEACONSFIELD: My Lords, I am commanded by the Queen to deliver a Message from Her Majesty.

MESSAGE, read by THE LORD CHANCELLOR, as follows:—

"VICTORIA R.

"The present state of public affairs in the East, and the necessity in connection therewith of taking steps for the maintenance of peace and for the protection of the interests of the Empire, having constituted in the opinion of Her Majesty a case of great emergency within the meaning of the Acts of Parliament in that behalf, Her Majesty deems it proper to provide additional means for Her Military Service, and therefore in pursuance of those Acts Her Majesty has thought it right to communicate to the House of Lords that Her Majesty is about to cause Her Reserve Force and Her Militia Reserve Force, or such part thereof as Her Majesty shall think necessary, to be forthwith called out for permanent service. V. R."

THE EARL OF BEACONSFIELD: My Lords, I had intended to propose that on Thursday next I should move an Address to the Crown thanking Her Majesty for Her gracious communication; but I think it would be convenient and satisfactory that the Motion should be made in both Houses of Parliament on the same day. I believe there has been some difficulty respecting the day in the other House—whether it should be Thursday or Monday. Perhaps, therefore, your Lordships will allow me to leave the matter in this way for the present—the understanding is that the Motion shall be made in your Lordships' House on the same day as it is made in the other House of Parliament. Whether that day shall be Thursday or Monday next we shall know, probably, in the course of the evening. I take this opportunity of laying on the Table of your Lordships' House some further Papers on the Affairs of Turkey.

Earl GREY: My Lords, though it would be obviously premature to express, or even to form, an opinion on the expediency of the measure announced to us by Her Majesty's Message which has just been read, until the reasons for it have, at the proper time, been explained to us, I hope it will not be considered premature if I now venture to express a hope that when the time comes for taking Her Majesty's Message into consideration, Her Majesty's Ministers will explain to Parliament very clearly what is the ultimate purpose for which the measure to which the Message refers is adopted by the Government. My Lords, we all know how very grave a measure it is to call out the Reserves. We know that, under the Act of Parliament by which the Force is constituted, such a step can be taken only at a time of great national danger or of great emergency. It is due to the men who compose those Forces, and requisite in order fairly to fulfil the engagements you have entered into with them, that the rule laid down by the law should be strictly adhered to—because, in calling out these men, you impose on them very heavy sacrifices. Many of them may be compelled to forego employment which they may not be able to obtain again; in the case of many of them, there will be a serious interruption of business; and many of them will be taken from families who can ill-spare their assistance. Therefore, my Lords, the measure of calling out the Reserve Forces is a most serious one, and when Parliament is asked to approve it, the case for it should be very clearly explained. And I beg to say that it will not be enough to tell us that the honour and safety of the country are at stake, and that it is absolutely necessary that the Government should insist that the whole of the Treaty between Russia and Turkey should be submitted to the consideration of the European Powers. We must have more than that before we can form a judgment. I am not here to question the right of this country to demand that the whole Treaty should be so submitted, nor will I stop to discuss what limits there may be to that right; but I would make this observation—that the demand can only be made because, in the opinion of Her Majesty's Government, some modifications of that Treaty are necessary. If the Treaty were satisfactory, as it stands, no particular object would be gained in requiring it to be submitted to a Congress; and, therefore, it must be considered that the end in view is some change or modification of the Treaty. Further than that, we may assume this—that Her Majesty's Government think some changes in that Treaty are so necessary, and the honour and interests of this country are so deeply involved in their being made, that they are prepared to insist on them even at the risk of being compelled to do so by force of arms—for that, in short, is the effect and meaning of the measure which has been announced to us. Now, my Lords, if that is so, I trust when the House is called on to consider Her Majesty's Message, Her Ministers will explain to the House what are the changes and what the modifications in the Treaty to obtain which they thought this measure necessary. Of course, I do not expect that they could go into details in regard to the changes they may choose to insist on, and still less do I desire that they should commit themselves to any particular steps on which they will insist in their negotiations with other Powers; but, undoubtedly, it appears to me that they cannot have resolved upon this measure without having formed in their own minds some clear conception of, at least, the general character of the changes they propose to ask for. If that is so, I think Parliament and the nation have a right to know, before we go further, what is the character of the changes contemplated. I am not surprised that Her Majesty's Government should regard the Treaty, as it stands, as unsatisfactory. It is impossible to study it without seeing that virtually it makes Russia absolute mistress of

European Turkey. I do not see how anyone examining it can come to any other conclusion. But what is important to know is, as matters now stand, how is this unfortunate result to be averted? We all have some general conception of the objects for which changes in the Treaty would be desirable; but we ought to have something more definite than that. We ought to know something of the nature of the changes by which it is supposed that these objects might be accomplished. We have had too striking and too recent proofs of the danger of being content with mere phrases and indefinite announcements, without having laid down a clear view of the policy intended. It is time, when matters are becoming so serious, that we should be clearly informed of what is in contemplation. For my own part, I think this is the more necessary, because it appears to me that the problem which the Government will have to work out when they come to consider in what manner the arrangements between Russia and Turkey may be rendered more free from objection, will be found a very difficult one. My Lords, it appears to me, no one in his senses can suppose it possible to again set up the authority of Turkey; but I confess that, for my own part, I am utterly at a loss to conceive in what manner any other satisfactory authority to take its place in the government of these Provinces can be constituted. The result has, I think, justified the opinion I expressed in this House last year, that if an attempt were made to overthrow by force the power of Turkey in the Christian Provinces, a bloody war would ensue, which would cause infinitely more suffering than Turkish misgovernment in very many years, which would end by leaving things in a worse state than they were when it began, and which would probably lead to the virtual establishment of the dominion of Russia, which would prove more oppressive and more unfavourable to improvement than that of Turkey. As to the sufferings that would ensue, my anticipation has been confirmed by the noble Marquess (the Marquess of Salisbury), who represented this country at the Conference of Constantinople, who not long ago said in this House that this terrible war had compressed within a few months a greater amount of human misery than Turkish rule would have produced in generations. I fear the difficulty of providing for the future government of the Provinces in which Turkish authority has been destroyed will also be found as great as I expected. My Lords, I thought last year, as I think now, that if Her Majesty's Government had then pursued a more direct and generous policy than they did, this dreadful war might have been averted. I believe that this might then have been accomplished by a firm exercise of British power, with far less danger of our being ourselves involved in war than will now be incurred. But, having lost that opportunity, we ought to have it explained to us how our interference can now be made really useful. I trust your Lordships will excuse me for having made these remarks—the more especially as I may not be able to take a part in the discussion on the Motion of which the noble Earl at the head of the Government has given Notice.

THE EARL OF REDESDALE: My Lords, I must say I cannot conceive anything more likely to embarrass the negotiations on a subject of such importance as the manner in which this Treaty should be dealt with, than that the Government should take the advice of the noble Earl and state within the next two or three days at latest the changes in the Treaty which they would insist upon.

EARL GRANVILLE: My Lords, I think it would be more convenient, as proposed by the noble Earl at the head of the Government, that the discussion on the Message from the Crown should not be held this evening. At the same time, I must express my very great satisfaction that the noble Earl (Earl Grey), who, I regret to hear, will probably be unable to take that part in that discussion—as he has done in former debates so much to our advantage—should have stated what he has stated this evening. He has really asked a Question in this House which everybody in the country is asking outside, and, so far as I am aware, without any answer having yet been given to it. I am quite sure that an answer to it has not been given in the very meagre Correspondence which has been presented to Parliament. I do not say anything at the present time with regard to the questions raised by that Correspondence; but I shall make a few observations as to the void in it. Firstly, I cannot come to a conclusion from the Correspondence as to the difficulty which exists between Her Majesty's Government and the Government of Russia. I cannot infer from the Correspondence whether Her Majesty's Government or the Government of Russia was the more unwilling to enter into a Conference. I hope that further Papers will show that I am wrong, but it would appear from the Papers now before us that no other Power agreed in the course taken by Her Majesty's Government. The noble Earl at the head of the Government has laid some Papers on the Table this evening. I venture to hope that those Papers will in some degree answer the Question which my noble Friend (Earl Grey) has put to the Government, and will show at all events the general view of Her Majesty's Government, which do not appear very clearly in the Correspondence already before us. In the second place, I do think we have a right to ask of Her Majesty's Government, in their own interest as well as ours, that we should have in the Papers the communications which passed between them and the other European Powers on this subject. It may be said that those are confidential communications. I can perfectly understand that in diplomatic communications there may be things said of a confidential kind and which it would be imprudent to make known to the whole world; but in a question of such enormous importance as this, I cannot conceive how Her Majesty's Government could have abstained from communicating with the whole of the Great Powers of Europe, and if they have we have no means of forming any judgment as to the general opinion of the other Powers as to those proceedings. With regard to the day on which the Message from the Crown is to be taken into consideration, it will be best, perhaps, that the noble Earl should fix it to-morrow, as there seems to be some doubt respecting the day fixed in the other House. I understand that the Financial Statement will interfere with the discussion of this question in the other House. I believe—though I am not quite sure—that the usual course would be for the noble Earl to move that Her Majesty's Message be taken into consideration on a certain day. It is most important that it should be considered in this House on the same day as in the other House, and I hope that, if necessary, the noble Earl will postpone his Motion until Monday next. I repeat my hope that the Papers laid before the House will fill up the immense void which now appears in the Correspondence.

The Earl of BEACONSFIELD: My Lords, I will not avail myself of this opportunity of entering on a general discussion of the subject which the noble Earl opposite has raised. I have laid some Papers on the Table to-night which I trust the noble Earl who has just addressed us will peruse with profit and perhaps not without satisfaction; but, until that has taken place, it would be quite irregular to make any reference to them. I now understand that in the other House of Parliament a desire has been expressed by the Members generally that the Budget should be brought forward on the day originally intended—Thursday next; and although we were quite ready to sacrifice that day, we are equally prepared now to meet what we understand to be the concurrent wish of both Houses, and to fix the discussion on the Motion for the Address on Her Majesty's Gracious Message for this day week.

Earl GRANVILLE: Is the noble Earl in a position to state the character of the Motion which he will make?

The Earl of BEACONSFIELD: I will move an Address of thanks to Her Majesty for Her Gracious communication.

Ordered that the said Message be taken into consideration on *Monday* next.

EDUCATION (SCOTLAND) BILL.

(*The Lord President.*)

(NO. 47.) SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2^a."—(*The Lord President.*)

The Marquess of RIPON said, he desired to make a few observations with respect to the possible operation of the Bill as regarded Scotland. As their Lordships were aware, there was an important difference between the circumstances of England and Scotland with regard to education. The Act of 1872 established throughout Scotland a system of direct compulsion, whereas that system was not generally introduced into England even directly until the Act of 1876. By the present Bill, his noble Friend proposed to introduce into Scotland another system of compulsion similar to that introduced into England by the Act of 1876; and on that point, he need only say that he supposed the Lord President was satisfied that there would be no inconvenience in the simultaneous existence of those two systems. But it seemed to him (the Marquess of Ripon) that some inconvenience and interference might arise between the two systems—the one with the other; and, therefore, he desired to ask his noble Friend if he had carefully considered that point, and had satisfied himself that a person could not be prosecuted twice for the same offence—that was to say, both under the Act of 1872 and under the proposed Statute? As his noble Friend would admit, such a proceeding would be totally unjust. One of the provisions of the Bill required attention. Several of the clauses contained the words "inspected school;" but he did not find in the Bill any definition of those words, and he wished to know whether he was right in supposing that under this Bill an "inspected school" in Scotland meant the same thing as a certified efficient school in England under the Act of 1876. He thought that, when introducing a stringent measure of the kind before the House, it was essentially necessary that the privileges to parents should be as wide in Scotland as in England. With respect to another portion of the measure, he was afraid he should receive little support from either side of the House in the views which he held. Clause 20 provided that Her Majesty's Inspectors of Schools might, under certain regulations, be employed, by the appointment of the Scotch Education Department, to inspect any school in which the education given was not purely elementary, with reference to the higher branches of knowledge taught therein. Now, that was a step in the direction of placing those schools more under the control of Her Majesty's Government, which would ultimately end in their obtaining a large grant of public money. He seriously doubted the propriety of that step, and against it he desired to enter his protest. Again, Clauses 17 and 18 provided that under certain contingencies vacancies in school boards should be filled up on the nomination of the Education Department. That was a very considerable power — a power unnecessary in many instances; and, that being so, he ventured to suggest to his noble Friend, that it would in this Bill be far better to follow the precedent of the English Act. In the Act of 1872, and also in the Act of 1876, there were provisions under which children of poor parents, not paupers, were entitled to have their school fees paid for them by the Boards of Guardians. Now, there was reason to believe that in some parts of Scotland those provisions had not been fairly worked—that the parochial Boards had not recognized the duty absolutely imposed upon them in respect to the payment of the fees of such children, and therefore he should be glad to learn from the noble Duke whether he would have the goodness carefully to direct his attention to that point, so that the just rights of poor parents might not be set aside by the want of action on the part of local authorities. He made these remarks in no spirit of unfriendliness, for he had no intention of opposing the second reading of the Bill.

The EARL OF CAMPERDOWN said, that certain defects had been discovered in the operation of existing Acts which had not been dealt with in the present Bill. Some of those very defects were alluded to two or three years ago in "another place" by the late Sir William Stirling Maxwell, who was one of the Scotch Education Board. The first Question he wished to ask was, whether it was intended that in the future there should be any central audit of the accounts of school boards? Under the Act of 1872, an accountant was appointed by the Scotch Education Board, who sent in an annual report of the accounts of the school boards; but that official had no power to disallow any expenditure he thought to be improper, and, as a consequence, his reports had no practical effect. Now, from that he concluded that the accountant would be abolished also. He wished to know, then, whether, in future, an auditor would be appointed by the Education Department to discharge the duty which had hitherto been discharged by the accountant; and, if so, whether some provision would be made that his audit should be effectual? Another point he desired to raise was this—under the Act of 1872, school boards had the power to take over the schools of religious and other bodies upon certain conditions; but no power was given to defray any debt existing upon such schools so transferred, and the consequence was that frequently great inconvenience was occasioned, amounting in some cases to the necessity of the actual building of a new school. There was only one other point to which he would refer. By the 45th section of the Act of 1872, power was given to borrow money for the enlargement of schools, but no such power was given in respect to other equally important alterations and improvements. There were such improvements as enclosing playgrounds, bringing water into the schools, and providing furniture. These he took to be of equal importance with any question of enlargement. He should be glad if his noble Friend could see his way, when the Bill went before the other House, to introduce clauses for carrying all or any of the suggestions he had made.

The Earl of MINTO was understood to call attention to the system of voting directed under the present law, the consequence of which often was that the most eligible candidate was often defeated because people made sure that he must be elected.

The Duke of RICHMOND and GORDON said, he desired, in the first place, to thank his noble Friend opposite (the Marquess of Ripon) for the kind manner in which he had spoken of the Bill, and also for affording the opportunity of explaining some of the provisions to which he had referred, and the way in which, in his opinion, they would affect Scotland. His noble Friend compared the powers of compulsion which existed under the present law with those which it was proposed to enforce under this Bill, and pointed out how impolitic it was, in his opinion, that a parent should, under the operation of two separate Acts, be fined twice for the same offence. He (the Duke of Richmond and Gordon) agreed with the objection of the noble Marquess, and could say that the Government had not, at all events, intended that the objectionable feature which he had pointed out should be found in the Bill. He would, therefore, look into the Bill again, and if he found that anything in it justified the remarks of his noble Friend, he would see whether some alteration could not be devised. Then, the noble Marquess alluded to the 11th clause, and, comparing the words "inspected school" in the Bill to the words "certified efficient school" in the English Act, inquired what was the reason for the distinction? He (the Duke of Richmond and Gordon) had no hesitation in saying that the intention of the Education Department was that the "inspected school" referred to in the clause should be practically equivalent to the "certified efficient school" in the English Act. Then, his noble Friend adverted to Clause 20—though he said he was afraid his objections would not be generally shared by the House. He was happy to think that on this point the expectation of his noble Friend had been realized. By the Act of 1872, they wished as much as possible to improve education generally throughout the country. There were some who considered that elementary education had been promoted at the expense of secondary education in Scotland. He (the Duke of Richmond and Gordon) could not admit that he shared in that view; but they had endeavoured to deal fairly and properly with secondary education, and they had thought that the whole education of the country would be benefited rather than injured by the operation of the clause. His noble Friend also spoke as to the payment by the parochial boards of the school fees of the children of parents who were unable themselves to pay; but that was a point which did not, as he thought, come within the scope of the Bill, though he concurred in deeming the matter worthy of consideration. So far as his experience enabled him to judge, the amount involved was not large; but, as attention had been called to the subject, he would look further into it, and see whether it was of sufficient importance to warrant its being dealt with in the Bill. His noble Friend next referred to Clauses 17 and 18—clauses which give the Department power to add members to a school board for the purpose of there being a quorum. His noble Friend thought that this was rather an extensive power, and that either it might be modified or there might be an alternative power of ordering a bye-election. He confessed he was far from saying that such an alteration might not properly be introduced, and now that it had been suggested he would see whether it could be adopted. He did not think either power would be acted upon very often; but in Committee he would either accept words of his noble Friend, or propose words himself, to enable the Department as an alternative to order a bye-election. The noble Earl opposite (the Earl of Camperdown) touched upon several points, among them the question of audit. He (the Duke of Richmond and Gordon) was quite ready to admit that it was most important there should be a proper audit; but he was not at all clear that this was the proper measure to deal with the question. He rather thought the matter would more appropriately come within the jurisdiction of the Local Government Board, and he hoped that it would be found possible to introduce a provision to meet the case in some Bill that might come before Parliament. In regard to the other point raised by the noble Earl, he considered that when a school was transferred it ought to be transferred without debt. Then, his noble Friend asserted that the 45th section of the Act of 1872 had not worked satisfactorily. The 19th clause of the present Bill was intended to meet the difficulties which had arisen under that section. The only other subject that he need touch upon was the Schedule. That Schedule was inserted in the Bill, in order, if possible, to put an end to the unsatisfactory manner in which elections in various school board districts had been carried out in Scotland. Before the last election the Department issued a circular for the purpose of remedying a state of things which was generally admitted to be unsatisfactory. The circular was acted upon, and had produced satisfactory results. Some people, however, thought that in taking such a step the Department acted *ultra vires.* What they did they did from the best possible motives; but a doubt having arisen as to their power to issue the rules and regulations they had issued, it was thought better to make the matter perfectly clear, and get it perfectly settled, and therefore it was that they had inserted the Schedule in the Bill. The mode of conducting elections in Scotland would henceforth be the same as in England, and he was not prepared to say that that would be a bad mode of procedure.

The MARQUESS OF HUNTLY suggested that boards should be elected for five years instead of three. It was desirable because the expense of elections would be reduced by quinquennial elections.

The DUKE OF RICHMOND AND GORDON believed that by the assimilation of the system in the two countries, the expense of elections would be reduced; but he did not think it would be wise to extend the existence of the boards.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the 9*th instant.*

MUTINY BILL.

(*The Viscount Bury.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF GALLOWAY said, that on previous occasions when this Bill had been before the House, he had been of opinion that instead of the letter "D" being branded on deserters, it would be better to mark all who entered the Army to show they were soldiers. Since the discussion which had taken place and the arguments he had heard, however, he had come to the conclusion that it would be better to revert to the old system.

Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

LOCOMOTION—RAILWAY PASSENGER DUTY.—PETITION.

MOTION FOR A SELECT COMMITTEE.

LORD HOUGHTON, in presenting a Petition for the appointment of a Select Committee to inquire into the subject of taxes on locomotion from an Association formed for the purpose of procuring the remission of the passenger duty, said, that the Report of the Select Committee of the House of Commons in 1876 distinctly recommended either the abolition or modification of the duty as soon as the financial condition of the country would permit it. In the present condition and prospects of the country, he did not say that he thought that object could be immediately realized; but, undoubtedly, there was an anomaly in the present state of the law which ought to be corrected. In 1844 an Act—the Cheap Trains Act—was passed for the purpose of giving improved means of railway accommodation to the poorer classes of travellers, by establishing trains to carry passengers at a rate not exceeding 1*d.* per mile, adding, among other conditions, that these trains should stop at every station; and these trains were exempted from the passenger duty. It was soon found that that condition could not be carried out without great inconvenience; but the railway companies, by way of compromise, agreed to carry travellers at the rate of 1*d.* per mile by some of their express trains for long distances. The Board of Trade accepted these conditions, and exempted these trains in the same way as the 1*d.* a-mile trains from the tax affecting the third-class passengers. The Board of Inland Revenue, however, took exception to this practice, the question was referred to the legal authorities, and a decision was given by the Court of Exchequer to the effect that the Board of Trade had exceeded their legal powers. The case afterwards came before their Lordships in their judicial capacity, when they affirmed that decision. It was found, however, that the result of carrying that decision into effect would be so serious that the Board of Inland Revenue had not enforced it. So that they had the Board of Trade and the Board of Inland Revenue acting on different views of the question. The present condition of the law was anomalous, and the Petitioners prayed that a Select Committee of their Lordships' House should be appointed to examine into the matter.

Lord HENNIKER said, the noble Lord had been so kind as to show him the Petition which he had presented. He had read it carefully, and although it apparently dealt with one point only—the state of the law as to exemption under the Cheap Trains Act, 1844—it was impossible not to see that the appointment of a Select Committee of their Lordships' House to inquire into this particular point, would involve an inquiry into the whole question of taxes on locomotion, or—to describe it more accurately—the railway passenger duty. Their Lordships were aware, no doubt, that this question was one of no small difficulty, and comprised a great number of matters of detail, with respect to which a great variety of opinions prevailed among those who were affected by the tax. It did not, however, appear to him to be a question with which a Committee of their Lordships could deal usefully. The Petition itself admitted that no inquiry was necessary, for it stated that the only remedy for the evil complained of was the total exemption of certain classes of railway traffic from the tax which they now had to bear. He did not wish to lay too great stress on that point; but he must remind their Lordships that a Committee of the House of Commons sat during the Session of 1876 to inquire into the whole subject. That Committee heard a great deal of evidence—not only evidence from all those affected by the tax, but evidence of the servants of the Crown whose duty it was to administer the law as it now stood. The Committee reported; and last Session there was a long debate in the House of Commons upon the Report, when, as might be supposed, the whole question was still more fully discussed. Anyone who looked into the matter could, he thought, have little hesitation in agreeing with the Committee that the railway passenger duty could not be considered as a question which affected the convenience of the public who used the railways for travelling; but that it must be considered as a fiscal matter. As a fiscal matter, he believed it was not a subject which could be conveniently dealt with by their Lordships. Under these circumstances, he did not think it would be desirable for him to go into any of the details of this complicated question. However, he did not wish for a moment to dispute the inconveniences which were complained of, and which arose from the exemptions of payment of the tax, which were at present granted. He had already stated that this question was a very complicated one, and it could without difficulty be shown that it would not be easy to provide any substitute for the tax, as at present levied, which would not operate unfairly, or unequally upon the different companies. In the event even of its being possible at some future time to deal with this duty, great care should be taken that, in any fresh arrangement which might be made, regard should be had to the general interests of the public; for it must be remembered that a remission of the whole or part of the duty would in no way increase the facilities of locomotion, but would simply place so many thousand pounds in the pockets of the shareholders. He was sure that, for the reasons he had stated, the noble Lord would agree with him that no useful object could be attained by the appointment of the Committee which he moved for, and for which the Petition prayed. To the Motion, and the prayer of the Petition, on the part of Her Majesty's Government, he was unable to accede.

THE EARL OF **REDESDALE** said, that this was a question which had been very much misunderstood. The objects of the cheap trains were that the poor man who travelled short distances might be able to enter a train and to leave it at any station he chose; but, in consequence of the change that had been made, the trains often ran past several stations, and in consequence it was not always possible for a man to land at the station where he wished to alight, and the persons benefited were not the poor, but those who travelled long distances. The tax was an excellent one, and no objection had been taken to it until it was seen that it brought so large a sum into the Exchequer.

Petition *ordered* to lie on the Table.

House adjourned at half past Six o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 1*st April*, 1878.

MINUTES.]—NEW WRIT ISSUED—*For* North Lancashire, *v.* Lieutenant Colonel the Hon. Frederick Arthur Stanley, one of Her Majesty's Principal Secretaries of State.

NEW MEMBER SWORN—John Derby Allcroft, esquire, for the City of Worcester.

SELECT COMMITTEE—Army, Royal Artillery and Engineers (Arrears of Pay), Colonel Loyd Lindsay *added.*

SUPPLY—*considered in Committee*—*Resolution* [March 29] *reported*—CIVIL SERVICES AND REVENUE DEPARTMENTS, Vote on Account, and *agreed to.*

PRIVATE BILL (*by Order*)—Metropolitan Inner Circle Completion Railway, 2R.

PUBLIC BILLS—*Resolution* [March 29] *reported*—*Ordered*—*First Reading*—Public Works Loans (£6,800,000, Consolidated Fund) * [138].

*Ordered—First Reading—*Adulteration of Seeds Act (1869) Amendment * [139].

Second Reading—Bills of Exchange (Acceptance) * [135].

Committee—Sale of Intoxicating Liquors on Sunday (Ireland) [44]—R.P.

Third Reading—Marine Mutiny *, and *passed.*

DUBLIN SOUTHERN DISTRICT TRAMWAYS BILL.

Leave given to the Select Committee on Tramways (Use of Mechanical Power) Bills to make a Special Report, so far as relates to the Dublin Southern District Tramways Bill.

Special Report *brought up*, and read; to lie upon the Table, and to be *printed.*

QUESTIONS.

WAR OFFICE CLERKS.

QUESTION.

MR. **COBBOLD** asked the Secretary of State for War, Whether it is a fact that supplementary clerks in the War Office will not be allowed to retire under the proposed new scheme for the re-organization of that office; and, whether it is true that clerks of that class who, before 1871 were termed registry and temporary clerks, were allowed to retire on the re-organization of the office in 1870, and that two men in that class did avail themselves of the privilege?

MR. **GATHORNE HARDY**: Two, not four, clerks of this class were allowed to retire on the abolition of the office in 1871. Their retirement was allowed because the transfer of the work connected with stores and clothing to Woolwich and Pimlico necessitated a reduction of numbers in the branch in which they were employed. No retirements of clerks in this class were allowed where the vacancies so caused would have had to be filled up. It is a fact that no clerks of this class will be allowed to retire under the new scheme, because a considerable extra expense would thereby be caused.

ROYAL IRISH CONSTABULARY.

QUESTION.

MR. **ARTHUR MOORE** asked the Chief Secretary for Ireland, In how many instances the Royal Irish Constabulary are quartered in iron huts; what the dimensions of those huts are; how many men are lodged in them; and, whether living in such quarters is consistent with the health of the men?

Mr. J. LOWTHER: Members of the Royal Irish Constabulary are quartered in iron huts in six instances. The huts are 12 feet square and 7¼ feet high. There are six men lodged in one; in three of them there are five men, in one four men, and in one two men. No complaints have been received that the men residing in the huts have suffered in health. These huts are only put into requisition in cases of pressing necessity, and where no other accommodation is obtainable.

HARBOUR AND LIGHTHOUSE RETURNS.

QUESTION.

General Sir GEORGE BALFOUR asked the President of the Board of Trade, If he will prepare for the use of and the sale to Members, at sixpence per Copy, an Annual Statistical Abstract of Receipts and Expenses of every Harbour in the United Kingdom, somewhat in the form of Return 571 of 25th July 1845, adding debts, interest, &c.; also Summaries of Receipts and Expenses of Lighthouses, as entered in Report of 1845 of Select Committee on Lighthouses?

Sir CHARLES ADDERLEY: Sir, the receipts and expenditure of harbours in England are minutely given in the annual Local Taxation Returns. Still more detailed Returns would be very expensive, and it would require an Act of Parliament, or the authority of a Royal Commission, to obtain them. As to lighthouses, the general items of receipt and expenditure will be found in the annual account of the Mercantile Marine Fund. An attempt to give separate accounts for each lighthouse was abandoned as not only expensive, but misleading. To apportion the expenditure would require an analysis of store and other accounts, and to apportion receipts would require an analysis of the accounts of the collector at each port in the United Kingdom for every ship which passes and pays, and the results would give no reliable or intelligible information.

THE FISHERY AWARD.—QUESTION.

Mr. GOURLEY asked Mr. Chancellor of the Exchequer, If he will be good enough to inform the House the amount and cost of the Award of the Fisheries Commissioners made against the United States Government under the Treaty of Washington; also, if any and what communications have been received relative to the decision of the Arbitrators?

The CHANCELLOR of the EXCHEQUER: Sir, the amount of the award that was made by the Halifax Commissioners in favour of Her Majesty's Government was $5,500,000. No communications have been received by Her Majesty's Government, except from our own Commissioners.

FOUNDERING OF H.M.S "EURYDICE."

QUESTION.

Captain PRICE asked the First Lord of the Admiralty, What was the amount of ballast in H.M.S. "Eurydice" when she left England, and is there any reason to suppose any was removed abroad; what were her angles of maximum and vanishing stability ascertained from the experiments said to have been made on her, and were these angles communicated to Captain Hare; were the "Eurydice's" hammocks made buoyant by any method recommended to the Admiralty, or were there life-belts sufficient for the Officers and men; and, what is the objection to the hammocks being made buoyant either by means of cork mattresses or waterproof sheets, seeing that they are so stowed as to be immediately accessible in case of sudden emergency?

Mr. W. H. SMITH: Sir, in answer to the hon. and gallant Member, I beg to state that the amount of ballast on board H.M.S. *Eurydice* when she left England was 30 tons. There is no reason to suppose any was removed abroad. The angles of maximum and vanishing stability were not ascertained. The hammocks were not made buoyant. There is reason to believe the usual establishment of life-belts was on board—namely, 10 per cent of the complement, or about 30 life-belts. With regard to the last part of the Question, cork mattresses and waterproof sheets have been tried, and have proved unsatisfactory on various points. The men do not like them, moreover. I may add that it would have been impossible to get them out of the hammock nettings in time in the sudden disaster which befell the *Eurydice*. It is the intention of the Admiralty to institute as complete and searching an inquiry as is possible into the loss of the *Eurydice.* Every effort will be made to discover if there were any preventible causes which led to this sad catastrophe; and that the inquiry will be made by means of the court martial on the survivors.

FINANCIAL SCHEDULES.—QUESTION.

Mr. HERMON asked Mr. Chancellor of the Exchequer, If he will cause Schedules to be left in the Vote Office on the day he makes his Financial Statement, showing, in columns, last year's Estimates, the actual Receipts, and another column for Members to fill in this year's Estimates as his Statement proceeds; also a similar Schedule as regards Expenditure?

The CHANCELLOR of the EXCHEQUER, in reply, said, he would endeavour to have placed in the hands of Members on the day of the Financial Statement, immediately after that statement was made, the Schedules referred to by the hon. Member.

EGYPT—RETURN OF THE RATES AND DUTIES AND REGULATIONS OF THE SUEZ MARINE CANAL.

QUESTION.

Mr. WHITWELL asked, Whether the Government could lay on the Table a Return of the rates and duties and regulations of the Suez Marine Canal, and the recent modifications therein?

Mr. BOURKE, in reply, said, that such a Return would be ready in a few days.

INDUSTRIAL SCHOOLS ACT (IRELAND).

QUESTION.

Mr. O'REILLY asked the Chief Secretary for Ireland, Whether any rules have been framed by the Commissioners of the Treasury or the Secretary of State as to the sums which may be paid by the Treasury, under the Industrial Schools Act (Ireland), for the maintenance of children in industrial schools; whether such rules have been published, and where they can be found; and, whether such rules contain any limitation, and, if so, what, as to the number of children who may be paid for in any one school?

Mr. J. LOWTHER: I am not aware that any such rules have been framed; but by arrangement with the Irish Government the Treasury pays 5*s.* a-week for all children confined in industrial schools, provided that the number does not exceed the number for which the school has been certified. Information on this point will be found in the Estimates, page 215. The number of children who may be paid for in any one school is limited by the certificate of the Chief Secretary under Section 6 of 31 *Vict.*, c. 25.

MORNING SITTINGS.—QUESTION.

In reply to Mr. Fawcett,

The CHANCELLOR of the EXCHEQUER said, it was not intended to have a Morning Sitting to-morrow.

THE EASTERN QUESTION—THE PROPOSED CONGRESS.

QUESTION. OBSERVATIONS.

The Marquess of HARTINGTON: I beg to ask the Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Government to lay on the Table of the House any further Papers relating to the negotiations relating to the Congress? I would only point out, in explanation of that Question, that the Papers which came into our possession on Saturday show an interval of a whole month—from the 7th of February, as I believe, to the 7th of March—in the negotiations which took place, and one can hardly suppose that a number of important communications did not take place during that time. But I also want to point out that there are no Papers, such as the Chancellor of the Exchequer on Friday night rather led us to expect there would be, showing what view was taken by the other Powers of Europe of the preliminary objections taken by Her Majesty's Government to going into Congress — not only by the Court of Austria and by the Court of Berlin, but also by the other European Courts.

The CHANCELLOR of the EXCHEQUER: There are no communications, I think, that could be laid on the Table besides those which have been presented to the House. With regard to the delay to which the noble Lord refers, that was mainly due to the very long delay which occurred before the official and formal communication of the terms of the Treaty of Peace, during which it was impossible for these communications to be carried on. With regard to the communications with other Governments, I believe there are none but such as are of a confidential character, and which could not be properly laid before the House. With respect to one Paper which has been laid upon the Table this evening, and which I hope will be in the hands of hon. Members to-morrow morning, it is a Circular Despatch which has been prepared by Her Majesty's Government, addressed to all the Powers of Europe, and containing the expression of their opinions upon the position in which we are left by the Correspondence which has passed.

ARMY RESERVE FORCES.

Message from Her Majesty *brought up*, and read by Mr. Speaker (all the Members being uncovered), as follows:—

> "*The present state of Public Affairs in the East, and the necessity in connection therewith of taking steps for the maintenance of Peace and for the protection of the interests of the Empire, having constituted in the opinion of Her Majesty a case of great emergency within the meaning of the Acts of Parliament in that behalf, Her Majesty deems it proper to provide additional means for Her Military Service, and therefore, in pursuance of those Acts, Her Majesty has thought it right to communicate to the House of Commons that Her Majesty is about to cause Her Reserve Force and Her Militia Reserve Force, or such part thereof as Her Majesty shall think necessary, to be forthwith called out for permanent service.*
>
> "*V. R.*"

The CHANCELLOR of the EXCHEQUER: Mr. Speaker, I beg to give Notice that on Thursday next I shall move that Her Majesty's gracious Message be taken into consideration; and I shall also move that an humble Address be presented to Her Majesty, thanking Her Majesty for Her gracious Communication.

Motion made, and Question proposed, "That Her Majesty's Most Gracious Message be taken into consideration upon Thursday."—(*Mr. Chancellor of the Exchequer.*)

The Marquess of HARTINGTON: I do not rise, Sir, to make any objection to the day that has been named by the right hon. Gentleman the Chancellor of the Exchequer for the consideration of Her Majesty's gracious Message; I only wish to express a hope that the Chancellor of the Exchequer will take the House into consultation as to what would be the most convenient course to be taken in this matter. When the subject was first mentioned I was of opinion—as, I believe, was also the Chancellor of the Exchequer—that the day which was originally named—namely, this day week, was considered by the House generally as too distant a day for the consideration of this question, and that opinion, I believe, was expressed on this side of the House below the Gangway by my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson). Subsequent consideration, however, I believe, rather induced a large number of Members, who had at first thought that the day named was too distant, to alter that opinion; and when it was announced by the Chancellor of the Exchequer that the Budget Statement could not be postponed to a later date than this day week, it appeared to a good many of us that there might be considerable inconvenience in the arrangement that is now proposed. It is impossible, of course, for me to say whether the consideration of Her Majesty's Message will lead to a protracted debate or not; but, considering the importance of the Message, and considering, also, the character of the Papers which have been laid upon the Table, it seems not improbable that a prolonged discussion may arise when we come to consider Her Majesty's gracious Message. Now, if that be at all likely, I think it is very evident it would be very inconvenient that a discussion of that sort should be interrupted by the Budget Statement on Monday; and I think it would, therefore, be desirable that the right hon. Gentleman the Chancellor of the Exchequer should take the opinion of the House and endeavour to ascertain what would be the most convenient arrangement for Members generally. I myself, I need hardly say, have no very strong opinion upon the matter, but am an assenting party to the arrangement which the Chancellor of the Exchequer has now proposed. I think, however, it would be found that a good many Members are of opinion that this question might be more satisfactorily and conveniently debated on this day week instead of Thursday.

Sir CHARLES W. DILKE: So many Members on this side of the House entertain the opinion that Monday would be better than Thursday for the consideration of Her Majesty's gracious Message, that I would move that that day be fixed. There is not only the ground that has been stated by the noble Lord as to the great inconvenience of interpolating a Budget debate, but there is also, I believe, a very considerable difficulty which, I think, the Chancellor of the Exchequer must have felt, with regard to the state of trade; for we are informed that the greatest possible inconvenience has been caused to trade by the great uncertainty as to taxation. This is not a year like past years, in which there has been no anticipation of an increase of taxation; but it is probable that indirect taxation must be raised, and, in view of that probability, enormous quantities of goods, and particularly of spirits, are being passed out of bond at the present low rate of duty. It is a singular thing that the proposal to postpone the Budget came from the hon. Member for Carlisle (Sir Wilfrid Lawson), for the effect will be the withdrawal of a very large amount of spirits from bond, as there will be more time to do it in. There are other reasons for delay; for I still hope that, in spite of the answer which has just been given by the Chancellor of the Exchequer to the noble Lord, we may receive further Papers. There is a despatch here—an English despatch, no doubt written for the sake of form in order to be quoted —giving the views of Austria, founded upon a statement of Prince Gortchakoff. I am only alluding to that as an argument for delay. It states that the Austrian Government differs from our Government altogether as to going into Congress, because Russia has given assurances to her, and then details those assurances, which are almost identical with the statement of our own Government. Now, Sir, we are led to infer either that that statement was never made, or else that Russia, having made that statement, has gone back from it, or has made a different one, or that a fortnight later Russia has found it necessary to take up a different position. If so—and I venture to think that one of these facts must be the case—surely we must ask that there should be laid before us Papers distinctly showing which of these suppositions we must take. But there is this difficulty—that we are led

to draw an inference from an inference. The only other despatch that I will allude to in urging reasons for delay is the despatch from Sir Henry Elliot to Lord Derby, stating that Prince Gortchakoff has declared to a trustworthy person—who is not named—that Russia will keep the Bessarabian question out of the view of the Congress. That would, of course, be a most important point if it were true; but I venture to think that the statement is not justified in fact, and that Sir Henry Elliot has been misled. I am told to-day that it is universally believed on the Continent that the despatch is erroneous, and that Sir Henry Elliot has been misled. Whether that is so or not, it is most important that we should know whether the statement in the despatch is true or is false. Then we certainly did expect that the Chancellor of the Exchequer would have given us Papers distinctly showing the opinions of other Governments. We gathered that from his words, and I think we had a right to gather it. There is only one despatch, and that is on the 5th of February. That is the only other despatch relating to foreign Powers; and, as I have already stated, it refers to a state of things which no longer exists. We know nothing of what are the views of Austria, Germany, Italy, or, still more important, what are those of France. For these reasons, I think we should have further delay for the consideration of Her Majesty's Message, and therefore it is that I move to substitute Monday for Thursday.

Amendment proposed, to leave out the word "Thursday," in order to insert the word "Monday,"—(*Sir Charles W. Dilke,*)—instead thereof.

MR. THOMSON HANKEY said, he thought a question of commercial importance like the Budget should not be postponed for questions of a political character. Nothing could be more inconvenient than to change the day on which it had been arranged that the Budget should be taken. Some important changes in the mode of taxation would without doubt be proposed; and he hoped there would be no delay in laying them before the House and the country.

SIR H. DRUMMOND WOLFF trusted that the Government would not give in on this question. The House had had enough of giving in to the Opposition. He trusted that the new era was not to be inaugurated by an event of that kind. In reference to the observations of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke), he thought the questions which the hon. Member raised would be disposed of by the Paper which Her Majesty's Government had that evening promised to lay upon the Table. With regard to the anonymous character given to the "trustworthy person" mentioned by Sir Henry Elliot, he might say that the form of words objected to was the one always adopted in diplomatic documents. If the names of persons giving information were always given, no information would be forthcoming; and when the Government used the words "trustworthy person," it was always to be understood that, having made inquiry, they were satisfied as to the trustworthiness of their informant. There was, therefore, no real necessity for getting up a discussion on that point, unless some doubt were thrown upon the authenticity of the information. The hon. Member for Peterborough (Mr. Hankey) had said that the Budget ought not to be postponed. Hon. Members on his (Sir H. Drummond Wolff's) side of the House had understood that the hon. Member did not wish to postpone the discussion on the Royal Message, and consequently had treated him to a cheer. That cheer he was entitled, on the part of many hon. Members who sat beside him, to withdraw. He trusted that the Chancellor of the Exchequer would look upon this communication of Her Majesty as a matter of far more importance than the Budget, which was a matter of comparatively local interest.

Mr. RATHBONE said, if, in the opinion of the Government, there should be an early discussion of the Message, the mercantile community would not wish the question of peace and war to be delayed in settlement. If, on the other hand, there was no such reason, there was undoubtedly great inconvenience and great loss in the delaying of the discussion of the statement of the Budget at a time when it was almost known that a considerable change would be made in the duties imposed on certain articles. He hoped, therefore, that the Chancellor of the Exchequer would make as little delay as possible, in order that loss might be avoided to the commercial world.

Mr. GLADSTONE: I must express my acknowledgment for the statement we have just listened to from the hon. Member for Christchurch (Sir H. Drummond Wolff), and from the information we have received from him, although I was not aware that he had taken office. He has given us, with very great kindness, the most important part of the contents of a despatch not yet produced, and likewise, from his long diplomatic practice, has laid before us the rules of the Service in a manner which, coming from a Gentleman of his experience, must carry conviction to the minds of all. Notwithstanding these great advantages, I wish, in the first place, to say that I should be glad if my right hon. Friend could settle this matter without a division; because that undoubtedly would not be a very good introduction to the discussion of Her Majesty's Message, or to the discussion of the Budget, both of which questions are of great importance, although the hon. Member for Christchurch does call the Budget a matter of local interest. I am bound to say that, in my opinion, the object of my right hon. Friend was to meet the convenience of the House both in the day he originally fixed, and likewise in the change he afterwards made. Therefore, no blame whatever can attach to him whichever course he takes. It was said, very justly, that if Her Majesty's Government are anxious for the early discussion of the Message, it would not be seemly in others to interpose. I think there is very great force in that observation. But I would point out to Her Majesty's Government that there is one course of proceeding from which no advantage can arise to anybody, and that is the mixing up of discussions on two great topics—on two very great national questions. If we are to judge from experience—and like my noble Friend (the Marquess of Hartington), I have no knowledge beyond what I have derived from learning the views of many hon. Gentlemen who take an extreme interest—and many of them not a friendly interest—in this Message—it would be extremely sanguine to suppose that the discussion on the Message, if commenced on Thursday, could be finished during the present week. If my right hon. Friend were in a position to postpone the Budget beyond the 8th, no doubt the discussion on the Message could be finished, and the Budget taken afterwards as an entire discussion. I have gathered that would not be for the convenience of the Government and the public interest; and therefore I must assume that, under all circumstances, the Budget will come on upon the 8th. If that be so, I cannot myself anticipate any advantage to be gained from taking the Message on the 4th. We have already had two great debates on the Eastern Question during the present and last Session, and on each of these occasions, if I remember aright, the debate extended over not less than four or five nights. New complications have now been introduced, very great difficulties in relation to the data, and our understanding of the data before us have been added to the difficulties inherent in the question; and I, for one, have no anticipation that it would be possible so to discuss the question that the debate might be finished in the course of Thursday and Friday. I may illustrate this by reference to what fell from my hon. Friend the Member for Chelsea (Sir Charles W. Dilke). He calls for more information, on the ground that at a certain period Austria objected to the course taken by Her Majesty's Government; that since that period there has been a complete change in the position of Russia; and that now we do not know what view Austria takes. That is the construction my hon. Friend puts upon the Papers. He is very competent to make it, and no doubt he makes it very properly; but it is not my construction at all. With great respect, my view is just the reverse—that the position is the same as it was when Austria made that declaration, and that the view of Austria remains authentically expressed by the despatch to which my hon. Friend refers. I think the Government will see it is absolutely necessary that this matter should be cleared up. We are really entitled to know, as the view of Austria has been once declared, whether that view still continues to be held, or whether it does not; and whether the declaration of Prince Gortchakoff, referring to the time when Austria gave her judgment, is a declaration in force or is not? I should like to point out the position in which we stand. The most authentic organ outside the Treasury Bench—namely, the hon. Member for Christchurch—has told us we shall have most important information; and I am bound to say the Chancellor of the Exchequer has told us also that the despatch to be laid on the Table to-night will contain what may fairly be called the views of the Government as presented to Europe. I am not in office—[*Ministerial cheers*]—and if that confession conveys any information to the minds of hon. Gentlemen opposite of which they were not before in possession, they are welcome to it. But such being the case, I am necessarily not in a position to gain information on the subject. Obviously, however, that despatch will be one of great consequence and of great value. It will be very much for the convenience of the House that an authentic statement—even more authentic than the speech of a Member of the Government, because containing the views of the whole Government—should be in our hands; and it is hardly less important that for some few days it should be in the possession of the country, and considered by the public, who are so deeply concerned in these matters. On that ground, as well as on every other, I think the despatch produced on Tuesday could hardly with general satisfaction be taken into consideration and debated on Thursday. Therefore, I hope my right hon. Friend will meet the views of the House, and adhere to the original arrangement.

Mr. HERMON pointed out that, owing to the fact that the payment of the Government dividends was due upon the 5th of April, the Bank of England would be placed in a position of great difficulty, unless the question whether or not the income tax was to be increased was settled beforehand. He should, however, support Her Majesty's Government in any decision at which they might arrive on the subject, because he felt that they would be acting under a full sense of their responsibility.

Mr. MUNDELLA could bear testimony in support of the statement made by the hon. Member for Preston (Mr. Hermon). On a former occasion, when the right hon. Gentleman the Member for the University of London (Mr. Lowe) was Chancellor of the Exchequer, the debate on the income tax lasted for two or three weeks, and the result was that the Exchequer lost a large sum from the dividends being paid in the meantime without the deduction from them of the additional income tax. When there was a possibility that certain duties might be increased, it was a matter of the greatest interest to the country that the proposals of the Chancellor of the Exchequer should be made known as soon as possible.

The CHANCELLOR of the EXCHEQUER: I may say, in the first place, that this is not a matter which depends upon the convenience of Her Majesty's Government or of the House. If it were merely a question of the convenience of the one or the other, we should be most anxious to consult the convenience of the House rather than our own. With regard to the convenience of the public, there is a good deal to be said upon this matter on both sides. It will be in the recollection of the House, that, originally, I proposed that the Message should be considered on this day week; but there was an instinctive expression of opinion that it should be considered earlier. Undoubtedly, there is a great deal to be said in favour of considering the Message, and the statement of Her Majesty's Government thereon, as early as possible, although there are also inconveniences in delaying the Financial Statement. There are also inconveniences of a political character which might arise out of delay in considering the Message; but, at the same time, there are other considerations which undoubtedly weigh with me. If it is thought desirable and necessary that there should be a long debate on the subject of the Message, it would undoubtedly be inconvenient that that debate should be cut in two by the introduction of the Budget. I certainly should not feel justified in undertaking to put off the introduction of the Budget to a later day than Monday next. There is also another consideration to which I must give some weight, which arises out of the production of Papers. I have already given to the House the only answer that I am able to give upon this point—namely, that there are in the possession of Her Majesty's Government no Papers which we think we can produce beyond those already published and that now laid upon the Table. At the same time, I am bound to say that just before the House met this evening, on communicating with my noble Friend (the Marquess of Salisbury), who is about to undertake the charge of the Foreign Office, he expressed a wish to have a day or two in which to look into matters for himself, and to exercise his own judgment upon them. In these circumstances, therefore, on weighing the advantages and the disadvantages of the two courses proposed, although I should have been very glad to be able to make a statement on Thursday, yet, if a prolonged debate is to be had upon it, it may, on the whole, be more convenient to revert to the original proposal made by myself — namely, that we should take the Budget on Thursday, and the consideration of Her Majesty's Message on Monday. That course will entail the lesser inconvenience of the two. I do not know whether the House fully understands the matter; but it is the fact that Her Majesty's Message is in the nature of a communication to the House of Her intention to exercise the power confided to Her by Parliament of calling out the Reserve Forces. The exercise of that power does not depend upon any action of Parliament, and Her Majesty will, upon the advice of Her Government, proceed to exercise that power. Therefore, no practical delay will result from the postponement of the discussion on the Message. The form of the Address I shall propose will be simply a Vote of Thanks to Her Majesty for Her gracious Communication. It will amount, practically, to a mere form of acknowledgment of Her Majesty's Communication; but it will, of course, give occasion for a discussion being raised upon the foreign policy of the Government. In all the circumstances, it would be better that the discussion on the matter should be postponed until Monday next. If the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) will withdraw his Amendment, I will myself move to fix Monday for the discussion.

Amendment and Motion, by leave, *withdrawn.*

The CHANCELLOR of the EXCHEQUER moved that Her Majesty's Most Gracious Message be taken into consideration upon Monday next.

Motion *agreed to.*

ORDERS OF THE DAY.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, and Mr. Redmond.*)

[BILL 44.] COMMITTEE.

[*Progress* 18*th February.*]

Bill *considered* in Committee.

(In the Committee.)

MR. MURPHY: I have to move, Sir, that you do now leave the Chair. It will be in the recollection of the House—or, at all events, of those hon. Members who take an interest in this important subject—that the second reading of this Bill came on at an advanced hour of the night—the second or third of the Session—when there were very few Members present. Under those circumstances, it was agreed that the discussion upon both the principle and the merits of the measure should be postponed until the Order for going into Committee on the Bill. Upon the day when that Order came on—which was a Wednesday—there were five Orders on the Paper, four of which preceded the Order for the committal of this measure; but, owing to unexpected circumstances—the unexpected, they say, is always sure to take place—all those Orders fell through, two of them being of such a character that the discussion of them was calculated to take up all the time of a Wednesday's Sitting. The consequence was that, the opponents of the measure not expecting it, only 12 Members being present, the Speaker left the Chair, and the House at once went into Committee on the Bill, and the Preamble was postponed, and the Business of the House was over at five minutes past 1 o'clock. Thus the discussion fell through. We are, therefore, in this position—that we have not had any discussion either upon the principle or the merits of the Bill since 1876, when the House, no doubt, confirmed the abstract principle, by affirming the Resolution then brought forward by my hon. Friend the Member for Derry. Since that time a Select Committee has been appointed to inquire into how far it was expedient that certain towns should be exempted from the operation of the measure. Before that Select Committee there was a large amount of evidence taken, and very many startling facts were brought to light; but in this House nothing but a mere statement took place after the receipt of the Report of that Select Committee. I had to occupy a considerable portion of the day when I made that statement, as the subject was a large and an intricate one, and as I had to explain new facts and figures arising out of the evidence taken before the Committee. When I made that statement the promoters of the Bill walked out of the House; but, be that as it may, no discussion took place upon the subject of a nature calling for a division. Therefore, we now stand in this position. In 1876 the House, as I have said, affirmed the principle of the Bill introduced by the hon. Member for Londonderry (Mr. R. Smyth). In the next year the Select Committee supplied new facts and new evidence, which totally changed the position of affairs; and, therefore, it is now my duty to lay these facts and this evidence before the Committee, to enable them to form an opinion upon the state of things now existing, and which did not exist at the time the House came to that decision. My point of departure would naturally be 1876; but it will be necessary for me to state what was the position of affairs for some time before that date, and I shall do so in as few words as possible. In 1868 a Select Committee was appointed to inquire into and report on the entire question. Witnesses were examined from every part of Ireland, amongst them the late Archbishop Leahy, and even from America, and Mr. Cyrus Field gave ample evidence of the working of the system in Brooklyn and New York; and, notwithstanding everything that was placed before that Committee in favour of the measure, they unanimously reported against total Sunday closing, and urged that the hours, which were then 11 o'clock on Sunday nights, should be reduced to 9 in towns above 5,000 inhabitants, and to 7 o'clock in towns of under 5,000. The question was discussed in the subsequent years without any effect; and in 1872 the Government of the day brought in a Licensing Bill, which affected both England and Ireland, and they adopted, as a settled measure, the Resolution of the Committee of 1868, in which the hours were limited to 9 and 7 o'clock respectively, and these were the hours fixed by the Bill of 1872, and were considered to be a final settlement of the question. Since that time no statistics have been produced, and no reason has been given why that final settlement should be departed from. Those who invested their capital in the business took the Bill of 1872 as a regular settlement; and why it was that so soon after that year an effort was made to revive the question I am at a loss to understand, save and except it was the motive which actuated Gentlemen who formed themselves into an Association for obtaining Sunday closing in Ireland. The ink was scarcely dry on the Statute Book when an Association was formed in Ireland for closing public-houses on Sundays, almost contemporaneously with the formation of the United Kingdom Alliance in this country; when, at a meeting held in Lancashire, £250,000 was subscribed for the purpose—as alleged in their resolution and prospectus—of securing the ultimate suppression of all liquor traffic, the promotion of the Permissive Bill, and, of course, the Sunday closing of public-houses. After the Resolution of the hon. Member for Londonderry (Mr. R. Smyth) had been passed by a majority of 57 on the 12th May, 1876, he brought in his Bill, and in July following it came on for second reading. On that occasion the late Chief Secretary for Ireland stated that, having regard to the decision of the House upon the abstract Resolution, and feeling that the Government were constitutionally bound to accept that as the opinion of the House in favour of the measure, they could not, and would not, oppose the second reading of the Bill, but that they would reserve to themselves full right and ample powers to make such Amendments in Committee as to them seemed proper. The Chief Secretary at that time stated that certain towns in Ireland—not limiting the number to five—having a population exceeding a certain number should, in his judgment, be exempted from the operation of the Bill. Nothing more was done that Session; but when, in 1877, the Bill was again brought in, the Chief Secretary, having assented to its second reading—which I then protested against—moved for a Select Committee, which was subsequently appointed, and their inquiry was restricted to five towns—namely, Dublin, Cork, Belfast, Waterford, and Limerick. How far it was consistent with the principles of the Bill, which affirmed total Sunday closing for the entire of Ireland, to propose that five important towns should be exempted from that principle I fail to understand. In those very places which it was proposed to exempt, the promoters of the Bill say there was probably greater occasion for Sunday closing than in the country districts. I am opposed altogether to the total closing of public-houses on Sundays; but I have never been averse to a further restriction of hours, if necessary; and moreover, I am not opposed to giving greater limitation of hours in some districts than in others. I shall now proceed, with the permission of the Committee, to lay before you my views upon what I consider the misapprehensions and erroneous opinions upon which the House came to the decision to affirm the principle of the Bill in 1876. I believe it to be admitted that when a Bill is brought into Parliament, it is essential that its promoters should show some reason for its introduction. When a Bill of this kind is brought in for the purpose of closing public-houses on Sundays—with a view, as it is alleged, to repress intemperance—one would think it would be necessary for the promoters to prove that intemperance did exist on Sundays before they brought in a measure for the repression of that which, *non constat*, did not exist at all; and to prove also that it existed in such a degree as to justify the Legislature in interfering by an exceptional law—a law which is an infraction of the principle of personal liberty. The fact is, that the promoters of this Bill never even condescended to prove the existence of intemperance in Ireland on Sundays, much less to prove that, if it did exist, the remedy proposed would be efficacious. Both those points were taken for granted. There is another thing which it is for the promoters of the Bill to prove to the satisfaction of the House. The Committee will recollect that this is a measure which is not generally applicable to all classes; and, further, that it is peculiarly directed against one particular class, or several kindred strata of classes, in Ireland. It does not affect the rich man or any man who is not in the habit of using public-houses; and, therefore, although the opinion of men of influence, weight, and character—the opinion of Prelates, Peers, Squires, Poor Law Guardians, and Town Councillors—may be taken upon this subject, it is the opinion of men whom the measure will not affect; and I say it is a most intolerable presumption of one class, who are not to be affected by a measure like this, to assume to legislate for another class who are to be affected by it, and that against the will and determination of that class, or without the trouble to inquire whether they wish for it or not. The promoters are bound to show that the demand for closing public-houses on Sundays comes from those who use them, and that might be some justification for asking the House of Commons to pass such a measure. Well, if I can show to the satisfaction of the Committee—first, that there is not that amount of intemperance and disorder in Ireland on Sundays which would justify the interference of this House—if I can show, moreover, by indisputable and incontrovertible evidence, that the remedy proposed, even if the evil did exist, would not be efficacious, but would aggravate and intensify that evil—and if I can show, further, as I hope to show, that the presumed expression of public opinion in Ireland of those classes who will be affected by this Bill is a myth, and not a reality, and that a counterfeit presentiment of the reality has been put before this House by Petitions which, when examined and analyzed, will be found to be not an expression of opinion from the masses whom they affect—I think, if I show these things, the Committee will at least pause before they allow this Bill to proceed further. Now, it has been alleged that Sunday in Ireland is a day of exceptional intemperance—a day of public scandal and disorder. I will proceed to lay before the Committee official Returns, which were given before the Select Committee of last year, with regard to the five towns which it is proposed to exempt from the Bill. The first is Belfast. The population of that town is 210,000. Between 1869 and 1876 the average number of daily arrests for drunkenness in each year was 7,962, or 22 per day; whilst the average arrests on Sundays only amounted to eight persons. In the metropolitan district of Dublin the population is 337,000. The number of arrests in 1875 and 1876 was 13,346 and 12,702 respectively, giving an average daily arrest of 32 persons for each year. A Return was also made of the number of arrests on Thursdays and Saturdays. The number of arrests on Saturdays for three months was 919, on Thursdays for the same period 453, and the total number on Sundays was 308—that is to say, 50 per cent less on Sundays than on Thursdays, and 300 per cent less on Sundays than on Saturdays. As 300 is to 900, so is the proportion of arrests on Sundays as against Saturdays. And, again, the daily average was 23 arrests on Sundays as against 70 on Saturdays, and 34 on the intermediate Thursdays. Now, the city of Cork, which I have the honour to represent, has a population within the limited area of its borough of 80,000. A Return was presented to the Select Committee for the years 1869, 1870, and 1871—three years before the passing of the Licensing Act of 1872—and for 1874, 1875, and 1876, three years subsequent to the passing of that Act. I will remind the Committee that the Act of 1872-4 conferred much more stringent powers on the police with regard to arrests for drunkenness than had existed before—nay, more obligatory powers were placed upon them; they were absolutely bound by the Amendment of the hon. Member for Louth, which was brought forward in this House, to arrest people whom they conceived to be intoxicated. During the three years 1869, 1870, and 1871, the average number of arrests on Sundays was five persons, or just half of the average arrests on Saturdays. In 1874, 1875, and 1876, the number of arrests was about five and a-half persons for each Sunday in the year, as against 12 on Saturdays. The resident magistrate furnished the Committee with a Return taken out for the five years ending in 1876, and that Return was not confined to Saturdays, but embraced Thursdays also. The result showed that on the Sundays in the five years, there were 1,411 persons arrested; on the Saturdays, 3,281; and on the Thursdays, 1,672; or, in the words of Mr. M'Leod, the resident magistrate—"Five arrests on Sundays, against six on Thursdays, and 12 on Saturdays." Now, Sir, we come to Limerick, with a population of 35,000; and in Limerick the Returns for eight years show that the average of arrests per day is nine, and on Sundays five and a-half, thus giving the same results as the other three towns which I have mentioned. In the year 1875 the number of arrests in Limerick was 3,235, and in 1876 3,672. On Sundays 307 persons were arrested in 1875, and 269 in 1876. Waterford has a population of 29,000, and the total number of arrests in 1876 was 1,459, showing a daily average of four; whereas the total number of arrests on Sundays is 134; showing, on an average, two and a-half persons on each Sunday arrested for drunkenness in Waterford. These results were not before the House in 1876, when it affirmed the principle of this Bill; but now that these figures are before us, I ask, would the House in 1876 have hesitated in rejecting the Bill if it had had the information which is now laid on the Table? But then, Sir, the Members of the Committee were limited to an inquiry as to the amount of drunkenness in the towns of Ireland on Sundays; they could not go beyond that, and hon. Members may now say—"These results are very good so far as the towns are concerned; but how are we to know what goes on in the country districts?" Now, Sir, we fortunately have before us an official Return from the whole of Ireland, which was laid on the Table of the House last year, and this Return shows that out of a population of 5,400,000, the total number of arrests during the year was 95,684. In addition, we have a Return of the total number of arrests on the Sundays during the year, and we find that in 1876, 9,490 were so arrested, being less than one-tenth of the entire arrests for drunkenness for the year. If the Sundays bore their fair proportion, then the number of arrests should have been one-seventh of the whole, or about 14,000; whereas it was only 9,490; therefore, as I have already said, so far as experience is concerned, the promoters of this Bill have failed to make out a case—in fact, the proof, so far as it goes, is against them. I will give a brief recapitulation of the figures which I have brought before the Committee affecting the seven towns in Ireland to which I have referred. In these seven towns, having a population of 691,000, the number of arrests for drunkenness during the year was 28,915, giving an average of 79 arrests per diem. On Sundays the arrests were 2,453, or only an average of 49½, against 79 on the other days of the week. Put it another way. In 1876 the population of Ireland—I quote from the last Census—was 5,400,000, and the proportion of arrests per diem throughout the whole country for drunkenness was 262, but on Sundays only 182; that is to say, in a population of 5,400,000 only 182 persons were arrested on each Sunday of the year for drunkenness; and these figures I bring forward as conclusive evidence against the objects which the framers of this Bill seek to promote in Ireland. The Return of 1871-2, which has been presented to this House, is rather a curious one, illustrating, as it does, how far the number of convictions for drunkenness agrees with the number of persons committing the offence. And here a great fallacy often prevails. People when they look at Returns are apt to say—"There were 100,000 convictions, and therefore there must have been 100,000 persons convicted." But it is no such thing. In 1871-2 the number of convictions was 92,295; the number of persons convicted a second time, 11,099; the number of persons convicted a third time, 7,648; the number of persons convicted more than three times was 16,911—making a total of persons convicted two or three, or more than three times, of 35,658, and leaving as the number of persons convicted a first time 56,000 instead of 92,000. But I have a more remarkable Return still, and I will refer to it, as I think the Committee should be put in possession of all the facts of the case. I have the Return from the Governor of Cork Gaol for the years 1872-3-4-5, showing the total number of distinct committals of individuals during those four years, and the Returns are—Males, 1,674; females, 1,125—total number of persons, 2,799. Will the Committee guess what was the number of convictions? It was 5,189, thus showing that, on the average, each of the persons committed was committed twice; but any ordinary person, looking at the number of committals and finding that they were 5,189, would suppose that 5,189 persons had been committed; whereas only 2,799 individuals had been committed! What I have said clearly proves that in Ireland there is the least drunkenness on

Sunday of any day in the week, and therefore there is no justification for bringing this Bill before the House; and I shall, Sir, now proceed to give the House the benefit of the opinions of those best competent to judge of the effects of Sunday closing. I regret very much that my Scotch Friends are not present to hear my remarks. More especially do I regret the absence of my hon. Friend the Member for Glasgow (Dr. Cameron), for some of the opinions which I shall quote are very pertinent to the Forbes-Mackenzie Act, and somewhat affecting the reputation of the good city of Glasgow. I do not desire to drag Scotch towns into this discussion; but I am compelled to do so in consequence of the flourish which the advocates of Sunday closing make about the good which the Forbes-Mackenzie Act has worked for Scotland. Since 1854, say they, great advantages have accrued to Scotland by the working of this Act; and they ask—"Why do you object to Ireland having the same advantages? There is a precedent for you, and there is a beneficial course before you." First of all, I will lay before the Committee a few of the opinions of Mr. Badenoch Nicholson, Secretary to the Lord Advocate of Scotland. Mr. Nicholson was examined upstairs before the Committee with regard to the working of the Forbes-Mackenzie Act, and the effects which it has produced upon the Scotch people. He was asked—

> "As to the effects of Sunday closing on the working classes, and on their habits in large towns. Do you consider that the people abstain from drinking spirits or other excisable liquors on Sunday, or do they lay up a store on hand, or do they go to illicit stores?"

The witness replied—

> "It is exceedingly difficult to say whether the result of the Act has been in any considerable degree to make the Scotch people more temperate. I am afraid that I could not represent it strongly in that light. I think that the motive in passing that Act was more to promote order than to prevent intemperance.
>
> "Question—Do you consider that the effect of the Act is to promote public order, but not to diminish drunkenness on Sundays?—Answer—I am afraid that I must admit that there is still very great room for improvement in Scotland."

In reply to further questions, Mr. Nicholson said that one effect of the Act had been very greatly to increase the illicit sale of spirits on Sundays; and if any person desired to obtain spirits on Sunday in Glasgow no doubt he would be able to get it from illicit vendors. I will now read a few lines from the Report of the Committee "On the Grocer's Licences in Scotland," which has been published only five days, and it will be seen by the Returns therein published that, the passing of the Forbes-Mackenzie Act notwithstanding, drunkenness has increased in a greater ratio in Scotland than the increase of population in that country. The Report says that drunkenness has increased in districts where the population has decreased, or increased only in a slight proportion. On the other hand—

> "Glasgow," says the Report, "shows a large decrease within the last two years, and that may be accounted for by the dulness of trade and the decrease in the rate of wages."

The Returns for 62 burghs or towns in Scotland — excluding Glasgow — show that in 1854, 18,992 persons were convicted as being drunk and incapable; and in 1876, the number had increased to 30,552. In eight counties and burghs taken at random, the numbers in the early years were between 7,000 and 8,000; but in 1876 they had increased to 15,761. In 1854, in Glasgow, out of a population of 360,000, the number of convictions of persons drunk and incapable was 13,616; in 1861 the population was 403,000, and the convictions 21,763; in 1874 the population was 550,000, and the number of convictions 30,606. [An hon. MEMBER: Of what nationality?] All Scotch, I presume. The increase from 1854 to 1874 of persons taken up for drunkenness per diem is somewhat over 300 per cent in some districts. It is, however, somewhat remarkable that there is a falling off in the number of convictions in Glasgow after 1874. In 1875 the convictions had fallen to nearly one-half — namely, to 15,905; and in 1876 to 14,046. But, as the Report says, this must be "owing to the dulness of trade and the falling off in wages." It must be so. Cause and effect here are as clear as anything in the world. The result of the whole Return is this—that there is a natural progression in the number of convictions for the offences of "drunk and incapable" and "drunk and disorderly." I will not say *post hoc propter hoc.* I will not say that this increase is in consequence of the Forbes-Mackenzie Act;

but the increase exists, and the Act is in force. In the county of Mid-Lothian the number of persons, in 1865, who were apprehended for crimes, and who were drunk when apprehended, was 1,381, and in 1876 the number was 1,989; but the population in that period had only increased 2,000—from 72,248, in 1865, to 74,211 in 1876. In Edinburgh, in 1861, the population was 168,121, and the number of persons drunk and incapable returned for that year is 2,952, and in 1876 the number decreased to 2,311; but of those taken up for crimes and who were drunk when apprehended, there were, in 1854, 3,566; in 1861, 3,704; and in 1876, 4,803. Now, Sir, I have read to the Committee statistics which cannot err as to the actual amount, not of intemperance, but of non-intemperance, in Ireland on a Sunday, and I have contrasted them with statistics of a country where the Forbes-Mackenzie Act is in operation. With regard to Ireland, I have proved that Sunday is the day of all others on which there is the least intemperance; and, therefore, there is no necessity for the introduction of such a measure as this. I shall now ask the Committee to listen to opinions as to the effect which the closing of public-houses on Sundays would have in Ireland. Mr. Richard Corr, Chief Superintendent of the Dublin Metropolitan Police, gave evidence before the Committtee on Sunday Closing (Ireland). He had been in the Force 40 years, and he is asked—

> "In your opinion, is there much drunkenness in Dublin and the metropolitan district on Sundays?—Not so much on Sundays as on other days of the week. My experience could carry me back many, many years, and I find less drunkenness on Sunday than on any other day of the week.—What is your opinion as to the interference with the convenience of the public by the total closing on Sundays?—My opinion is that the public would be very much inconvenienced by the total closing of public-houses within the metropolitan police district on Sundays.—Have you any reason, or what is your opinion, as to the reason, why the popular voice has not been raised against Sunday closing in Dublin—can you account for it?—They have not taken any steps, one way or the other, I think, to put forward their views on the subject.—Why have they not done so?—I cannot say; they are under the impression, I think, that the Bill would never be brought in or passed.—Is it your deliberate opinion that, so far from repressing intemperance, the total closing would increase intemperance?—It would in a certain class.—Captain Talbot said that there were 117 known illicit houses now; do you think that they would be increased if the total closing movement was carried?—I am quite sure that there would be treble the amount."

I can most emphatically say that that is the reason why the mass of the people of Ireland have not opposed this Bill. The mass of the Irish people never dreamt of the possibility of such a measure passing this House. They have seen the Bill brought in and dropped year after year, and so they never troubled themselves about it. And then, the masses of Ireland are politically inarticulate; they have no means of making themselves heard, and they have no system of organization. It is, therefore, absurd and ridiculous for the promoters of the Bill to come to the House and say—"Why have not the masses of the people complained of it?" Superintendent Corr is then asked whether Sunday closing would not increase intemperance? and he answers—

> "Yes, we have already many illicit houses, and I am quite sure that if such a measure was passed, they would be trebled in Ireland."

I now come to Belfast, and the evidence is that Sunday is a very orderly day, and except in the back lanes it is a rare thing to see a drunken man on that day. One witness says that if the public-houses were totally closed on Sunday, it would lead to an immense deal of evil. The fact of closing the public-houses will increase the evil that does exist, and teach men to evade the law by going to illicit houses. The same witness says that now the people do not abuse the privilege of being able to get a glass of drink on Sundays, and to close the houses would very much dissatisfy thousands of people. That is direct evidence; and now, probably, it may be as well if the Committee is put into possession of the evidence of two men of high position in Dublin—men of the highest character and intelligence. The first I shall allude to is the Recorder of Dublin, who is an enthusiastic admirer of this movement for Sunday closing, and certainly one whose opinion on that side of the question ought to have weight and consideration. I must apologize to the Committee for detaining them at such length; but the subject is of great importance, and, after the statements which have been made, requires to be opened out. Indeed, after the numerous charges made by the promoters of this Bill, it is impossible to go into the matter without taking up a good deal of time. Mr. Falkiner, the Recorder of Dublin, said he should not have come forward to give evidence if the principle of the Bill had not been approved by this House. He recognized the fact that the measure must be of a speculative character, and he says—

> "I am aware there is less drinking on Sunday, and I do not say that there is a necessity for this Bill because there is less drinking. I only support this measure for social reasons."

Then I ask him—

> "There being less drunkenness on Sunday than any other day, therefore the Bill should be passed?—Answer. Not at all. That is not the reason—that would be absurd—that is not my opinion. I stated all through that my reasons were warranted on social grounds."

That is the evidence of the Recorder of Dublin. Then there was another witness examined who is a public officer, a divisional magistrate of Dublin, and he was asked what he thought of this measure. He said—

> "I must say, after fully considering the question as carefully as I can, and after 11 years' experience as a magistrate of Dublin, that I am opposed to total closing on Sunday. It is a very large question, involving a great many views. It is, as it were, a sort of jump in the dark; in trying the measure for the first time none of us can see how it will turn out. It is desirable to judge of what would happen by what has happened in the past. In Dublin the houses are closed for half the day on Sunday, and, therefore, we may find some clue to guide us in noting how the closing system acts in the first half of the day. My experience is this—that during the first portion of the day there is as bad drinking, as much in extent, and more demoralizing to the people than the drinking that goes on afterwards. That has been clearly proved. I only became aware at the licensing sessions of the enormous extent of illicit drinking—in the squalid streets there were known houses where during illegal hours crowds of people congregated."

I then asked this gentleman what effect this Bill would have if it became law? and he gave his opinion decidedly that great evil would result, and that it would create an illicit traffic. It is impossible that I could pass over this passage, as it supports my arguments so strongly—

> "Supposing the houses were shut up, what would become of the people who wanted refreshment? Would they be like good little boys at school?—Men with plenty of money in their pockets, and earning good wages, if they have a desire for drink, are not to be restrained by simply closing the public-houses."

Mr. Murphy

I have ample evidence here to show that this measure will only produce illicit traffic. The sub-inspector of the Constabulary at Belfast gives as his own personal opinion that such a measure "will do violence to the feelings of respectable people of Belfast." Then we come to Cork. I have read the statistics with regard to Cork, and shown that not more than five persons were arrested on Sunday for drunkenness throughout the year. Now I come to the question, what will be the remedy? There will be no remedy; but it will intensify the evil and drive the people to the shebeens and illicit houses. The feeling of the people of Cork is undoubtedly to limit the hours on Sundays, but not to totally close. I will read a portion of the evidence of Mr. Alderman Daly, who is a large employer of labour, and well acquainted with the middle and lower classes of Cork. I asked him—

> "From your observation of the character of Sundays in Cork, and from the results of your official knowledge on the subject, is it your opinion that Sunday, generally speaking, is the day of all others upon which there is least drunkenness in the city of Cork?—I am of that opinion. —Is it your deliberate opinion that they (the middle and lower classes) are entirely opposed to the total closing of the public-houses on Sunday?—I would not say totally opposed, because a certain minority are not so disposed; but I would consider that minority inconsiderable as compared with the persons who differ from them.—You are of opinion that the vast majority of them are opposed to the total closing of the public-houses on Sunday?—That is my opinion. —Have you had any opportunity of ascertaining the opinions of the clergy of the city of Cork with regard to the subject?—I have. I have consulted clergymen who have held for a long period city ministrations, and have been removed in the ordinary course of promotion to country parishes, and the majority of them—and a large majority, too—have always said to me that they were in favour of restriction on Saturday nights and reasonable hours of opening on Sundays. And those are my own opinions upon the subject, founded on certainly as close observation as was in my power to give it for some seven or eight years. — You were asked a question about the adoption of Sunday closing in certain Roman Catholic dioceses; does it not strike you that voluntary Sunday closing under the influence of the Roman Catholic clergy may be a very different thing to Sunday closing by law?—Yes; because the one you accept in deference to the monition of your clergy, and the other is imposed upon you by a law which you believe to be unjust and unequal."

In Limerick the same class of evidence is given. Mr. Gallway was asked—

> "Do you think that drunkenness has been on the increase in Limerick?—I would not say so. I think Limerick is wonderful for the little drunkenness that there is in it. I made a calculation, and I find that there is one arrest to every 4,400 of the population every day."

Mr. Spaight, a former Member of this House, gave this evidence. He was asked—

> "Do you think that total closing could be adopted in the city of Limerick?—Not, I think, without great public inconvenience, and I think it would not succeed in the purpose for which it is nominally intended."

He further says—

> "My experience is sufficient to enable me to say the cases of committals for drunkenness arise rather from the class of habitual drunkards than from the general body of artizans and labourers."

He is then asked—

> "Do you, therefore, see any reason for passing a restrictive sumptuary law affecting undoubtedly the majority of the people merely for the experimental purpose or chance of correcting that minority who desire to drink?—I see no reason, and I think it would be unwise to do so."

I feel that I am not wasting the time of the Committee in reading this evidence, especially after the articles and letters which have appeared in the daily newspapers, taking it for granted that the evil of drunkenness exists in Ireland to a large extent on Sunday. I will now quote from the evidence of Mr. Hanharan, clerk of the petty sessions at Waterford—

> "What is your view of the matter?—I believe that it will increase the consumption of liquor on Sunday. I believe that on Saturday night, when the working classes are paid, they will go to public-houses, and before the houses are closed they will make provision for their drinking on Sunday, and will bring it home with them on a Saturday night; and then on Sunday, instead of going to a place of worship, my belief is that they would drink it on Sunday with their neighbours. Jack would go to Bill's house, and Bill would go to Joe's, and they would sit there the whole day drinking.—Do you think that any other evil would be caused by total closing on Sundays?—I do. I think that it would tend to demoralize the children of those working men by seeing them drunk in their presence on Sundays.—Have you had any means of ascertaining what the feelings of the people of Waterford would be upon the subject of total Sunday closing?—I believe that the majority are against Sunday closing.—Upon what do you base that opinion?—In the different offices that I hold I come into contact with a great many of the people of Waterford. I do not think that I have heard two dozen speak in favour of it. I have heard a great many speak in favour of shortening the hours."

Now I come to the question of the supposed demand of public opinion on this subject; and when my hon. Friend (Mr. R. Smyth) moved his Resolution on the 12th of May, 1876, it was considered that the demand of the Irish people for this Bill was unanimous. That was stated to be the case, and was thought to be so by the right hon. Member for Greenwich (Mr. Gladstone). That distinguished Gentleman thought it his duty to advocate the passing of this measure; but admitted that, in the abstract, there was a cardinal objection to it unless a strong case was made out. These are his words—

> "I dwell upon the language of my noble Friend in stating his general objections to strong restrictive legislation of this kind. I concur in those objections. I think it requires a very strong case to warrant our overlooking them, and the whole question now is whether we have before us that strong case."—[3 *Hansard*, ccxxix. 571.]

On that the right hon. Member for Greenwich, as well as the right hon. Member for Birmingham (Mr. John Bright), proceeded to argue their case; and, as a proof of the demand from the people of Ireland, the right hon. Gentleman dwelt very much on the very graphic and very powerful statement made in this House by the hon. and learned Member for Louth (Mr. Sullivan). That Gentleman, who is a master—I will not say, of heedless rhetoric, but of a bold style—said he gave to this House a picture of the enthusiasm of the Irish working men in favour of this Bill. With most dramatic effect, he quoted an enormous meeting which had been held in the Phœnix Park just a few days before, and at that meeting he said only 150 people out of from 10,000 to 15,000 held up their hands against the Bill; and that he quoted to this House as an evidence of the absurdity of saying that the people of Ireland did not demand this Bill. That striking passage in his speech captivated and most decidedly struck the imagination of the right hon. Member for Greenwich, who appealed to the extraordinary fact of there being only 150 at such a meeting as that against Sunday closing. Speaking of that same meeting, the hon. and learned Member for Louth said—

> "It consisted of from 10,000 to 15,000 persons, of whom probably 2,000 or 3,000 were present from curiosity. What was the verdict

of that meeting? It was this—that, while 8,000 persons held up their hands in favour of Sunday closing, 150 was the highest estimate that was formed by the newspapers of those who were opposed to it. The working classes of Dublin had, therefore, expressed their views on this subject in an unequivocal and decided manner." —[*Ibid.* 553.]

That was *Hansard's* report of the hon. and learned Member's remarks on that meeting. That statement was made use of by the right hon. Gentleman the Member for Greenwich, and by the right hon. Gentleman the Member for Birmingham as irresistible evidence of the demand of the Irish people for this measure. Now, it so happened that that statement was made on the 12th May, 1876, and the Committee which sat on this subject in 1877 had under examination no less a person than Captain Talbot, the present head of the Dublin police; but who, at the time of the meeting, in May, 1876, was Assistant Commissioner. He was examined on the question of the Phœnix Park meetings, and I shall simply read what Captain Talbot said, and let the Committee judge between the hon. and learned Member for Louth's description of the 15,000 enthusiastic Sunday closing meeting, and what Captain Talbot observed. Captain Talbot, I would observe, is a military man, in the habit of counting numbers; he went there in his official capacity, and he gave his evidence under the strictest sense of responsibility. He was asked with regard to certain meetings held in 1874 and 1875—and this meeting in question took place in May, 1876—

"Tell the Committee what you observed at this meeting.—The first meeting I was at was in 1874. It was held on August 23rd, in the 15 acres in Phœnix Park. I went there on duty, and should judge there were about 1,000 of the respectable classes—men, women and children—around the mound."

That, however, was not the meeting which the hon. and learned Gentleman quoted to this House. Captain Talbot was then asked—

"Did you attend other meetings?—Yes. On the 7th May, 1876. Placards were issued stating that the meeting would be disturbed by the publicans, and, consequently, arrangements were made to have the police in reserve. I proceeded to the Park myself, and found a meeting there, and a very large number of people walking about. I should say the number of those attending the meeting in the hollow near the Zoological Gardens amounted to about 1,000."

The witness was asked whether he was acquainted with any other meetings; and he said he was not personally, but that the officers in charge of the police had made reports. I may say there were about 15 meetings in 1875 and one in 1876, and upon this point the hon. Member for Londonderry asked—

"All on one side?—All on one side.—All held at the Phœnix Park?—They were held at the same place in the hollow.—How were they attended?—The police reports state that there were from 100 to 200 or 300, and the largest number I find is 500."

Oh, where—oh, where—is the 15,000 meeting gone? But, then, here comes the crucial test. The witness was then subjected to the close and rigid cross-examination of the hon. and learned Member for Louth, the chairman of that meeting—

"As to the kind of demonstration which took place when I presided, you say there were about 1,000 present?—Yes; I said I judged about 1,000.—Do you read *The Express* sometimes?—Indeed, I do not. I generally read *The Irish Times.*—Are you not aware that *The Daily Express* stated that at that meeting there were 10,000 persons present?—I am aware.—Are you aware that *The Evening Mail* stated there was an enormous gathering?—I believe so.—Are you aware that *The Irish Times*, which you do read, stated that there were between 6,000 and 7,000?—Yes, I read *The Irish Times*, but then, having been at the meeting, I formed my own opinion.—Are you aware that *The Freeman* put it at a larger figure; and, as a matter of fact, that no one in the city of Dublin, foe or friend, of the movement in the public Press even put down the attendance at that meeting as under the figures which I have given?—That may be prefectly true. I can only say that I formed my opinion, and you are at liberty to form yours."

Then comes the question of all others which was to crush and absolutely to discredit his evidence. The hon. and learned Member for Louth—

"A person on the platform, if he is accustomed to see public meetings, has a better means of judging as to numbers than a person who is not on on the platform?—Yes; but I was on horseback."

I think that answer disposes of this monstrous meeting of 15,000—this tremendous inflation, which, at the touch of the spear of truth and common sense, collapses and sinks to its original insignificance.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present, MR. MURPHY resumed: I now come to the great point made by the right hon. Gentleman the Member for Birmingham, whom I do not see in his place, although the front Opposition Bench has very industriously sent out a Whip. The right hon. Gentleman absolutely made the astounding statement that there was a majority of the publicans in Ireland in favour of Sunday closing. His figures were 1,265 for, and 1,215 against. Of course, the right hon. Gentleman spoke from the brief put into his hand; and he is not, therefore, answerable for any statement handed to him by the secretary and sub-agents of the Sunday Closing Association. Well, Sir, there was a canvass by the sub-agents of the Sunday Cosing Association, and I have an approximate return from the lips of the secretary of the Sunday Closing Alliance himself, who was examined before the Select Committee which sat in reference to this question. It has been authoritatively stated that a majority of the publicans of Ireland were in favour of Sunday closing. The return I hold here relates to about 1,500 licensed traders who voted on this question, and they are taken from the five towns in respect of which the inquiry was taken. It is necessary that the Committee should understand that there are two classes of licensed traders—one publicans and the other spirit grocers. When the secretary was asked how many of the voters were spirit grocers and how many were licensed victuallers, he replied—"I do not know;" and I will tell you the reason why. In the city of Dublin there are 1,286 licensed traders, 1,006 public-houses, and 280 spirit grocers; 563 out of 1,286 voted, and of these 341 were for closing and 222 against closing. On that, the astute secretary was asked how many of that 341 were spirit grocers, and he replied he did not know, he took no trouble. For it is well known that in the city of Dublin meetings were called by grocer's assistants, with the approval, no doubt, of their masters, and I can hardly blame the assistants for their desire to get off for recreation on the Sunday. In Belfast there are 134 spirit grocers and 815 licensed traders altogether, and the poll was this—number for closing 232; against, 140; showing a majority of 90 in favour of closing. But, in that 232, it is very reasonable to suppose that a very large number, if not all, of the 134 spirit grocers voted. But, independently, I think, there are in Belfast 74 houses that have no licence for opening on Sunday. In Cork 155 voted, and of that 155, 126 voted against the closing of public-houses on Sunday, and there were only 29 voted for, of which 29, 17 were holders of six-day licences. In Limerick there are 297 public-houses, and of these no less than 65 are only six-day licences; that is owing to the illegal pressure put upon them by the magistrates, who gave them their choice of six-day licences, or no licences at all. In Limerick the polling was 92 for closing and 101 against, including, of course, the six-day licences. In Waterford there are 73 six-day licences by the same illegal acts on the part of the magistrates, and out of 220 total licensed traders, 60 were for closing and 32 against. The total of this is 754 closing and 621 against. So far, therefore, as the mere naked fact was concerned, the right hon. Gentleman was right in stating there was a majority; but the impression which was conveyed to him, and which he conveyed to the House, was that a majority of the publicans of Ireland were in favour of closing their houses on Sundays. The total number of licensed traders in these five towns is 3,129, of whom 414 are spirit grocers and 202 have six-day licences; and out of the 3,129 only 1,375 voted. I have not at hand the particulars of the Returns relating to the other towns or places quoted by my right hon. Friend, but those which I have given as to the five towns pretty fairly represent relatively the proportions he referred to; but, considering that there are over 16,000 licensed traders in Ireland, and having regard to the figures so quoted, may I not ask was there ever statement so susceptible of the *suppressio veri* and *suggestio falsi?* Then comes the culminating period of 1876, when, what with the pressure put upon hon. Members, what with private solicitation, what with the industry of the secretary of the Sunday Closing Association — for we have it on his own evidence that he employed men at so much a-day to go through the country to obtain signatures to Petitions in favour of the Bill—they obtained their majority of 56. Now, I say that that majority was obtained because of the immense number of signatures which appeared on the Petitions in favour of the measure. I was naturally struck by the fact in, 1876, that there should be 292,337 signatures attached to Petitions in favour of the Bill, and only 52,000 to those which were opposed to it; and, therefore, it appeared to me that it was worth while to go into an examination of those Petitions, and to analyze them as well as I could. I did, Sir, go into that examination. I am not now a young man, and through life have experienced many things which have startled me; but, of all the astounding reflections ever forced upon me, I never experienced any more astounding than that which I derived from that analysis. Here was a statement to show that the people of Ireland were in overwhelming numbers in favour of the measure, and that was the ground on which the right hon. Gentleman the Member for Greenwich, who was brought down for the purpose, and the right hon. Gentleman the Member for Birmingham voted in favour of the Bill. I find that up to the 12th of May, 1876, the very day of the debate, 1,926 Petitions had been presented in favour of the Bill, and that up to the same day there were only 88 Petitions presented against it. That, Sir, was to me a surprising statement; but I had some little knowledge of the dodges which hired canvassers and very zealous supporters of the measure resorted to to obtain signatures to the Petitions in favour of it; and, on examination, I found that a large number of the Petitions which did proceed from Ireland emanated from Presbyterian, Wesleyan, or Baptist ministers, and their congregations, or from the lodges of Good Templars—such as the Loyal Orange Lodge, the Royal Standard Lodge, and the Headless Cross Lodge. Now, I just wish the House to believe this—that of the 1,926 Petitions presented in favour of the Bill, no fewer than 361 proceeded from those congregations and lodges, that 157 of them were official Petitions, such as from Poor Law Guardians, Town Commissioners, and other bodies of that kind. But how many of them does the House think came from England? Why, no fewer than 1,027, leaving only 381 genuine Irish Petitions as coming from the masses of the Irish people? If I were to characterize that as a huge imposture upon the House, would I be called to Order? It is an attempt—a gross attempt—to impose upon the House; and I venture to say that there is not a single member of the Committee of the Sunday Closing Association—not a single member of the upper ten thousand, Peers or Prelates, and private gentlemen whose names are so often referred to—who is aware of this gross attempt to mislead the House with respect to the feeling of the Irish people in this matter. This exposure is, I think, sufficient to show the character of the conspiracy. Again, I say, I do not accuse any of those gentlemen with being aware that, included in the 1,926 Petitions in favour of the Bill, 1,027 came from different parts of England, and only 381 from the people of Ireland. No; the whole of this had been the work of the astute secretary of the Association and of the executive. The hon. Members who had presented those Petitions knew nothing about the matter; but the association wished in the furtherance of the good cause that it should pass for a great and glorious manifestation of the feeling of the people of Ireland. In 1877, however, they took alarm, as they found they had gone a little too far, particularly as public attention had been then partially directed to the matter; but they had no doubt got the majority I have already mentioned as a mark of the sense of the House in favour of their measure. Now, I know from my own conversation with several English Members who voted in that majority, that had they been aware of these facts they would as soon have cut off their right hands as vote for this Bill. If the House had been in possession of these facts and figures—which I shall take care shall be published—I very much doubt if it would have come to the decision it did in 1876. As I have already said, however, the promoters of the Bill became in 1877 somewhat alarmed, and drew in their horns. The number of Petitions they presented in that year was only 789; but it is quite clear, judging from the number of those which came from England in 1876, that the United Kingdom Alliance was running hand-in-hand with the Sunday Closing Association, and it is not unreasonable to suppose that their Petitions were duplicates of each other. The natural effect of this was to influence English Members to vote for the Sunday Irish Closing Bill, knowing that the English measure would not come on. In fact, they made a kind of compromise, and agreed to—

> "Compound for sins they were inclined to,
> By damning those they had no mind to."

In 1877, however, as I have before said, they got alarmed, and the number of Petitions dwindled down to 789, and of these 209 proceeded from religious bodies—Presbyterians and Wesleyans—and not from the masses of the people of Ireland. I do not mean to object to those religious bodies petitioning in this matter. I merely wish to show that nine-tenths of the Irish religious Petitions come from Ulster, and that of these fully one-half come from the town of Belfast. Of the remaining Petitions, 134 were official, and 139 English, making altogether 482 Petitions in favour of the measure from outside the masses of the Irish people—leaving only 307 real Irish Petitions. We now come to the present year, and what do we find? I stated, in the debate in 1877, that I had no doubt the House was labouring under a delusion in the matter, and that so soon as the Irish people knew what was the exact object aimed at they would take action, and show that it was a matter in which they were by no means indifferent, and petition largely against it. The Committee of the Sunday Closing Association took up the challenge. The total number of Petitions in favour of the Bill which they have sent in up to the present day is only 851, and of these 217 come from the various religious bodies. 138 are official, and 95 come from England, making in all 450 Petitions outside and beyond the people of Ireland, leaving only 401 genuine Irish Petitions presented in favour of it. Even as regards these, I wish to show how the House may be led astray if we attach any importance to the signatures—as I have it on the oath of two persons who witnessed the transaction, that a man going about with one of those Petitions came up to a woman in a farm-yard, asked her name, put it down with a mark to the Petition, and then asked her the names of eight or nine persons who were in the yard with her, and then put their names down also as signing the Petition. Let us now see the growth of Irish public opinion against the Bill. In 1874 there were no Petitions against; in 1875 there were 56; in 1876 there were 88; in 1877, or last year, there were 230, signed by 104,642 persons; and this year, up to the 22nd of last month, there have been 590 Petitions presented against it, signed by 207,304 persons. Since then I have myself presented three other Petitions against it, signed by at least 10,000 persons; so that, looking to the lists for the present year, I find 277,000 persons—including the congregations, the Templar lodges, and English teetotalers—petitioning in favour of the Bill, and 207,000 against it; so that, on the whole, I say, fearlessly, that the great preponderance of public feeling in Ireland is opposed to the Bill. I have no particular object to gain by occupying the time of the House, and I think it will be acknowledged that I have not said anything which was not germane to the matter. The Committee of Petitions has, I know, reported that two of the signatures to one of the Petitions from Dublin are forgeries; and last week, on the Motion of the hon. Member for Carlisle (Sir Wilfrid Lawson), the matter was referred to a Special Committee to report on the subject. I believe the Committee sat to-day, and from what I hear took place——

Mr. CHARLES LEWIS rose to Order. The hon. Member had no right to state to the House what occurred before a Select Committee at present sitting.

The CHAIRMAN said, the hon. Member for Londonderry was perfectly right; but he did not understand the hon. Member for Cork as referring to the proceedings of the Committee.

Mr. MURPHY: I did not, Sir, wish to refer to the proceedings of the Committee, but to what I myself knew to be facts. I will now proceed to refer to another point made by the promoters of the Bill. They have made a great parade of the number of public meetings which have been held in its favour, and have said that no such public meetings had been held against the Bill. It so happens that two public meetings were held in Cork—one on the 14th December last, and the other on the 28th January—and I will read from this last meeting the opinion of a *bonâ fide* working man respecting Sunday closing. The resolution he proposed was to the effect that

Sunday closing, if agreed to, would militate most injuriously against the moral habits of the Irish people; and he said that, apart from the merits or demerits of the use of stimulants, in justice to themselves they were bound to protest, as sedulously as possible, against this tyrannical measure. The President of the Cork Masons' Society seconded the resolution, and said he would take the opinion of the gentlemen then present before that of those would-be philanthropists of whom they had never heard outside of this question. Some of the people who supported this measure had, he said, advocated Home Rule for Ireland; but had they the audacity to ask for Home Rule for a nation of drunkards, as they had been called? The speaker said—

> "That would be one of the strongest arguments that Sir Michael Hicks-Beach could use in the House of Commons when Mr. A. M. Sullivan stood up in his place and asked for Home Rule."

These were the sentiments of a working man, uttered at a meeting composed exclusively of those whom this Bill will affect. I beg to thank the Committee for the patient attention they have given me. I trust they will believe that I have not trespassed upon them unnecessarily; but that I have confined myself to a mere refutation of arguments which have been advanced in favour of the Bill, and to explanations of the causes which led to the Vote of 1876. I hope and trust the discussion which I have raised—and which it is absolutely necessary should be raised, owing to the sudden and unexpected progress of the Bill into Committee—will have the effect of calling real attention to this subject, and that the facts and figures I have advanced will have such weight that hon. Gentlemen will never allow this Bill to proceed a stage further.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Murphy.*)

Mr. ONSLOW said, he had taken some interest in the progress, or non-progress, of this Bill during the present Session; and as he had placed a Notice on the Paper when it was down for second reading, perhaps he might be allowed to make a remark or two on the subject. The Bill was put on the Paper two days after the House met, and nearly everyone—and he was amongst the number—did not expect it would come before the House on that occasion, and consequently those who took an interest in it were not present. The Government Orders, however, were postponed, and the Bill was read a second time. It was put down for Committee two days afterwards, and if it had been expected that it was likely to come on, he should have opposed it then as he was doing now. The Bill did happen to come on, and the hon. Member for Roscommon (the O'Conor Don) got it advanced two stages, first, by moving the hon. Gentleman (Mr. Raikes) into the Chair, and next in getting the Preamble postponed. It had been said that this was an Irish question, and that the Irish people should fight it out. He was one of those who did not believe that it was an Irish question. He looked upon it as a great national question; for he foresaw that if this Bill was passed for Ireland other restrictive measures would soon be proposed for England, and the argument which would be used would be—"You have got this measure for Scotland and Ireland; all that now remains is to get it for England." He hoped he might get hon. Members who sat on that—the Conservative—side of the House to rescind the Vote they gave in 1876, and oppose this Bill on the present occasion. This Bill had had a curious history this Session.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

Mr. ONSLOW, proceeding, said, during the present Session the Bill had been badgered about from pillar to post. It was introduced by the hon. Member for Roscommon, and night after night other hon. Gentlemen took charge of it, and the House really did not know on what occasion it might come on after half-past 12 o'clock. He could honestly say that he had no idea of using any obstructive means of opposing this Bill; but he did say that opportunities should be allowed to hon. Members for expressing their wishes and opinions concerning it. At the meeting of the United Kingdom Alliance, held in the autumn of last year, the hon. Member for Newry was in the chair. The hon. Member was a rather strong teetotaller, Mr. W. WHITWORTH: I beg pardon. I am not a teetotaller, and I am not a member of the United Kingdom Alliance.

Mr. ONSLOW said, he meant the hon. Member for Kilkenny (Mr. B. Whitworth), and that hon. Gentleman remarked that the Government were tied hand and foot to the most debasing slavery ever known; but whether that meant the publicans or the spirits, he (Mr. Onslow) could not say. That was not the only strong expression used on that occasion. The hon. Baronet the Member for Carlisle, speaking on this Bill, said—

> "One thing is very encouraging, and that is that the House of Commons, by the enormous majority with which it adopted the Sunday Closing Bill, recognizes the principle of the Permissive Bill."

He hoped the hon. Baronet would that evening give them his views of the Sunday Closing Bill.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

Mr. ONSLOW resumed: The hon. Baronet, on the occasion to which he had referred, told his audience that the reason why this Bill did not pass last Session was owing to the opposition of 11 Irish Gentlemen. He would tell the hon. Baronet that there were English Members who took quite as strong a ground of opposition to this Bill as any Irish Members. Another speaker at the meeting said—

> "A few friends from Ireland interested in the drink traffic talked nonsense until the Bill was talked out. This was the work of a weak and cowardly Government."

That was rather strong language, considering that the Government gave up a day on purpose for that discussion. He happened to have listened to the speech of the hon. Member for Cork (Mr. Murphy) last Session, and anyone who heard him must admit that the information he gave to the House, so far from being nonsense, was quite to the purpose, and a valuable addition to the discussion of the subject. There had been, he must say, a good deal of nonsense talked by the promoters of this Bill. Dr. Dorian, the Bishop of Down, speaking of the Petitions signed in his diocese, had pointed out that the signatures were

> "those of people who would not be affected by the Bill should it pass, and gave no assurance that they would be adherents to the restrictions they would impose."

Petitions were easily got up if there were money and whiskey to back them. He believed that the closing of public-houses on Sundays, so far from checking drunkenness, would increase that worst of all forms of intemperance, secret and illicit drinking. Public-houses were, as a rule, orderly and well conducted, both on Sundays and on week days, and they were under the control of the police; whereas the places where illicit drinking went on were subject to no supervision. No doubt, there were some bad cases of drunkenness in Ireland; but when they saw the small number of arrests in that country which were made on Sundays, he thought they might almost say that they might shut up the public-houses on any other day of the week than on Sunday. The passing of Forbes-Mackenzie's Act had not diminished intemperance in Scotland. On the contrary, since it had become law, the consumption of liquor had largely increased in that country, and he believed that if the Bill before the House passed a similar result would follow in Ireland. The Scotch people were somewhat Puritanical; they were stricter and sterner in their views of the Sabbath than many persons either in England or Ireland. Not long ago, when he was at a seaside place in Scotland, he asked several fishermen why they did not let out their boats on the Sunday, and their answer was that they would not mind letting them out, but their minister would not let them do so. He believed that that influence was at the bottom of much of the agitation on this subject, and that many parts of Scotland and Ireland were a good deal priest-ridden. For his own part, he saw no greater reason for closing public-houses, where the working and middle classes got what they wanted on Sunday, than for closing the club-houses, where the upper ten thousand got what they wanted on the same day; and if the principle of that Bill were adopted, he believed they must sooner or later have all their clubs closed on Sundays. It was unreasonable to put restrictions on 200 or 300 sober people in a town—as they were now asked to do—merely because one person there chose to get drunk on the Sabbath. That kind of legislation was not wholly new; because, as long ago as the reign of Edward III., a Bill was passed against over-eating, which in those days was treated as an offence against the State, and people of every rank were forbidden to have more than three courses for dinner or supper. It had been urging that public-houses should be treated as gambling-houses had been; but he would remind the Committee that gambling-houses were places of luxury, while the public-houses were places of necessity for the lower orders on both week days and Sundays. They might as well put confectioners under restriction, because boys went to their shops and made themselves ill by eating too many jam tarts. He objected *in toto* to this restrictive kind of legislation. They had too much of it already on the Statute Book, and they ought not to pass the present Bill, which would only be the prelude to a similar measure for England. In conclusion, he hoped that the supporters of the Bill would find that, although it was the 1st of April, they had been trying to fool the House in vain. He would support the Amendment of the hon. Member for Cork.

Mr. O'SULLIVAN said, it was very desirable, as there was no debate on the second reading of this measure, that it should be fully discussed on the present occasion, and therefore he rose to support the Motion which had been made; but, before entering into the merits of the Bill, he would like to know who was the real parent of it? At one time it was the hon. Member for Londonderry County (Mr. R. Smyth); at another time it was the hon. Member for Roscommon (the O'Conor Don); then the hon. Member for the city of Londonderry (Mr. Charles Lewis) appeared to be sponsor for it. He believed he would not be far out in placing its paternity on Belfast and Londonderry, as those were the strongholds of Sabbatarianism. He supposed it was in Order to show the people of Ireland that the Bill had some Catholic blood in it; that they had gone all the way to Roscommon and Wexford for sponsors, and also that they had engaged two careful nurses from Kildare and Louth. His objection to the measure was, in the first place, that it was class legislation of the very worst kind. It was surely class legislation to deprive the working class of that liberty which they now possessed of obtaining refreshment when they needed it on Sunday. He opposed it, because he believed if it was passed into law it would demoralize the people, as it had done wherever it had been tried to be carried out. It had been said it would lessen intemperance in Ireland; but no argument had been shown to prove it. Their opponents depended more upon force—upon the influence they could bring to bear upon Members. They sat quietly by during the discussion, and treated the opponents of the Bill with silent contempt. They said drunkenness was largely caused by Sunday drinking; but he believed he could prove that there was really less drunkenness in Ireland on Sunday than on any other day in the week, and that drunkenness was most prevalent in those places where they had attempted to carry out the principles of this measure. He found, from a Return which had been ordered by that House, that the number of convictions for drunkenness on Sunday were as follows:—In Antrim, 1 in 17; in Armagh, it was 1 in 20; Clare, 1 in 11; Carlow, 1 in 12; Cavan, 1 in 40; in Fermanagh, only 1 in 30; while in Galway, where they put in force the principle of Sunday closing, it was 1 in 10; in Kildare, it was 1 in 11; in his own county, 1 in 6. [*Laughter.*] Hon. Members appeared surprised at this; but the fact was in one-fourth of the county the houses were closed on Sundays, and the effect of that closing had led to increased drunkenness. In Longford, it was 1 in 10; in Louth, 1 in 15. His reason for going into all these details was to show that the whole of these Petitions in favour of the Bill were absolutely false; because they stated that drunkenness in Ireland was caused by the public-houses being opened on Sundays, and he wished to show it by evidence which could not be contradicted. In the county of Meath, where they were carrying out the principle of the Bill, the convictions for drunkenness were 1 in 9 of the inhabitants; whereas in Monaghan, where it was not carried out, it was 1 in 40. In King's County it was 1 in 12; in Roscommon, 1 in 12. In Tipperary, where Sunday closing was largely carried out, it was 1 in 12; in Westmeath, 1 in 10. Wexford was the only place where it appeared to have been carried out with anything like success—it was 1 in 34 there. Coming next to the cities—in Belfast there was 1 conviction for every 15 inhabitants; in Carrickfergus, 1 for every 12; in Cork, 1 for every 9; in Drogheda, 1 for every 10. In Galway, where the houses were closed, it was 1 for every 10; Kilkenny, 1 in 9; Limerick, 1 in 12; Londonderry, 1 in 9; Waterford, 1 in 14. How could they, in the face of all these facts, contend that drunkenness was the result of keeping houses open on Sunday? But from these facts, he would present the opinions of those who were well able to judge of the effect of Sunday closing in Ireland. He would first give the House the opinion of a magistrate of 45 years' experience, who, for 12 years, had also been a Member of that House. He stated, in a letter, that statistics showed that the preponderance of opinion in favour of the Bill was on the part of men who did not express the views of those who would be affected by the measure. There could be no question that many of those who signed these Petitions never had occasion to go into a public-house on Sunday. The great mass of convictions for drunkenness arose from drinking at fairs, markets, &c., to which such a measure as the present would not apply. The backbone of the supporters of the measure were of the Sabbatarian element, who would not allow anyone to dress himself on Sunday if they could prevent it. Wherever it had been tried it had increased drunkenness. Only the other day he read in a speech delivered at Glasgow by Canon Farrer that Glasgow was one of the most drunken cities in a country which was one of the most drunken countries in the world. In Limerick, where they had 13 parishes closed and 35 parishes open on Sunday, Lord Emly, at a meeting of the Board of Guardians, had spoken strongly against the measure. In the small towns the result of an examination of the statistics of drunkenness led to exactly the same result as he had showed to exist in the counties and large towns. It was idle to think that people were likely to obtain as good an article in the shebeens, to which the Bill would drive the working man, as they could at present. The highest authority in Dublin—the Commissioner of Police—had stated that there was very little drinking in Dublin on Sunday; and he thought the greatest weight ought to be attached to his opinion, because he had had a great many years' experience. He said he had seen a great deal more drunkenness before 2 o'clock on Sunday than after that hour. He might refer to *The Freeman's Journal* of the 21st of January last for the statement that out of 87 convictions in one week 70 were the result of Saturday night's drinking, and only 17 of Sunday's. And the comment of that journal upon the fact was, that to close at 9 o'clock on Saturday evening would be much more advantageous than Sunday closing. That was in reference to Dublin, and the opinion was that of a newspaper which did not take the side of the opponents of this Bill. There had never been any argument to show that such a Bill as the present would be a success. It had been a failure wherever it had been tried, with the solitary exception of Wexford. He would now like to refer to some of the Petitions in favour of this Bill. He had just obtained an insight into some of these Petitions. When he referred to that matter before he was shut up very quickly; but he had been able to trace the history of them. Fourteen of these Petitions were from England and Scotland, and six of these from religious societies. Four were from various parts of Ireland. He would like to know how some of the gentlemen who signed these Petitions would like to have the key of their own cellar taken from them? This was, indeed, a poor man's case, and he was speaking then for the non-electors; and he begged to inform the House that he was determined to oppose the Bill at every stage. Amongst these Petitions was one from the inhabitants of Hanley. In what way were they interested in the Irish Sunday closing? Then there was one from an Association of Wesleyan Methodists, next was one from the inhabitants of Mansfield, one from Bath in public meeting assembled——

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

Mr. O'SULLIVAN, proceeding, asked if the opinion of such people ought to be taken on the matter? The fact was that the presentation of these Petitions was a gross conspiracy to deceive the Members of that House, by trying to induce them to believe that the people of Ireland desired this measure. In fact, there had been an unholy alliance of Whigs and Tories and Home Rulers in favour of a Bill which was nothing less than a coercion Bill. He would now give them some information as to the names to the Petitions in favour of the Bill.

The CHAIRMAN called the hon. Member to Order. To read the names on numerous Petitions could hardly be considered as addressing himself to the Motion before the House, which was that the Chairman leave the Chair.

Mr. O'SULLIVAN said, he bowed to the decision of the Chairman; but he must allude to the nature of some of the Petitions, and especially to the absence of the names of working men, who were the parties really affected. And yet the Petitions presented were said to carry the force and weight of Irish opinion. He had been astonished to find that some of his own constituents had asked the hon. and learned Member for Louth (Mr. Sullivan) to present a Petition in favour of the Bill. Now, this Petition contained the names of 242 persons, and of these only 94 could write. Now, by the last Census, there were only 30 per cent of illiterate persons in the parish from whence the Petition came—according to the result of the Petition there were 55 per cent. Now, he desired to mention that 23 names attached to the Petition had never been known in the parish before. The legitimate number of signatures to the Petition was really 55; and of that number 38 had also signed a Petition in favour of the public-houses being kept open. The fact was that the signatures had been obtained from people who did not know what they were signing; and he was surprised that such a document should have been presented to the House. He thought the hon. and learned Member for Louth must be ashamed of his Petition.

Mr. SULLIVAN said, he was not ashamed of it. The Petitioners were constituents of the hon. Member for Limerick, and he certainly was not ashamed of them.

Mr. O'SULLIVAN said, the facts he had adduced, and many more which he could show, would prove how valueless were the Petitions in favour of the Bill. This was not an elector's question only; it was one affecting the whole of the people of Ireland, all of whom had the right to go into a public-house if they chose. He had been abused, over and over again, because he was, to a certain extent, interested in the trade. But he begged to state that the bar of his hotel had not been open for 20 years on Sunday; but, at the same time, if there was no other place in the town where refreshment could be obtained, he would see that the bar was opened. Another great objection to the Bill, independently of its injustice, was this—how would they get convictions under it? If the Bill passed, everybody would be able to supply himself with drink, and the police could not stop it. There was in Ireland a class of persons called "walking shebeens," who carried bottles of whiskey about them for sale; and he wanted to know how that traffic would be stopped by the Bill? Nothing could be more ridiculous than to suppose they were going to stop drinking by coercive legislation. They would often find drunken men about in places where no public-house was near. He would now beg to call the attention of the House to a few remarks made on this Bill by some of the best known and most representative papers in Ireland. There was, first of all, *The Catholic Times*, and it declared that the passing of the Bill would put a premium on the evasion of the law, and induce men to try to get by stealth what the law would prohibit them getting openly. *Saunders' News Letter*, in a long article on the subject, expressed the opinion that the working of the Bill would necessitate the doubling or the trebling of the police of Dublin—a serious consideration to a city which, for want of funds, left its rivers in so bad a state; and it went on to point out that it was far from certain that drunkenness would be diminished if the Bill passed. *The Armagh Guardian* further said that, beyond question, the licensed publican had an invested interest in his business, and in honesty was as well entitled to compensation for the loss of it as the planter, the prelate, or the military officer. The temperance party, while advocating temperance themselves, were the most intemperate people, he thought, he ever met with in their writings and in their speeches, thinking they could carry everything before them. He asked the House to say whether it was fair, or just, or right, to say that for the good of the people—admitting that it would be—public-houses must be closed, and that 17,000 persons must suffer that good should be done to the community? If the community benefited by a measure of that sort, at least it should not object to pay for the benefit. It had been a practice of this country to give compensation for losses, even though investments in which people had sustained those losses were illegal. Take, for instance, the Abolition of Purchase in the Army. Officers were compensated for the loss they had sustained by the Abolition of Purchase, even though they had been acting illegally in their dealings with commissions. Then, again, on the liberation of the slaves in Jamaica and the other British West India Colonies, their owners were compensated, though 19-20ths of the English people had no sympathy with them whatever as slave-owners. But the House, if it passed this Bill, would deprive the trade in Ireland of one-seventh part of their living. It was four years since they had a General Election in Ireland; and when they saw that no Member had spoken for or against the Bill, he asked whether that was not a strong proof that this movement was yet in its infancy, and that no real feeling existed on the subject in Ireland? At the last Election, however, there were two, and only two, candidates who spoke in favour of the Bill—Sir Dominic Corrigan and Mr. Pim—and both of them lost their seats. If they waited till the next Election, he believed they would miss a great many more from the House. But, he repeated, this was a non-electors' question, and it ought so to be viewed by the House. It had been said that all the clergy of Ireland were in favour of the Bill; but they should remember that the question had been put to the Irish clergy in this way. They had been asked—"Are you going to favour intemperance?" But though they could not sign against the Bill, they had not signed for it. Dr. Dorian, the Roman Catholic Bishop of Down and Connor, had, indeed, made some very strong remarks against it. He said—

> "Having alluded to intemperance, we are sorry to observe its prevalence — we are glad we cannot say its increase—and would rejoice if some sensible and efficacious remedy could be devised. We suppose, however, it will continue as long as strong stimulants are chemically provided, and that the beverage in common use in our climates shall be alcoholic. This would suggest closing the vats and prohibiting distillation altogether. Certainly, such a remedy would be logical."

He (Mr. O'Sullivan) could understand a Bill which made such a proposal; but, instead of doing that, they attacked the smaller kinds of dealers, who were not represented in that House, leaving the vats and the distillation untouched. The right rev. Prelate continued to say—

> "We wish again to repeat, that Sunday closing is not, and will not, in our opinion, prove a remedy. It will do other mischief, as was abundantly proved by the evidence given before the Committee of the Commons last year. It will lead to illicit consumption, and the worst consequent immorality, from which we are now saved by the responsible and respectable publican. We are not of those who think publicans have no consciences. We know them to be safeguards to the morals of society in most cases and on every day of the week. The evidence of last year shows Sunday to be the most sober day of the seven—there being one-tenth, and not one-seventh, amenable on that day. There may be valid reasons for closing public-houses near to places of worship, or where sham fights take place; but where no abuse occurs, to close them is an act of the veriest tyrrany, and inflicted by those who do not themselves abstain on men their equals in virtue and sobriety."

The right rev. Prelate then pointed out that in the year 1876 there were over all Ireland, on every Sunday, 182 out of a population of 5,400,000 amenable for drunkenness, and he asked, somewhat indignantly—

> "Was it patriotic, was it fair, was it religious, because of this fractional percentage of the people, to brand the whole nation as a nation of drunkards?"

Yet he (Mr. O'Sullivan) was sorry to admit, for the credit of the Home Rule Party, that was precisely what many of its Members seemed to take a peculiar pride in doing—in banding themselves with the Whigs and the Conservatives for the avowed purpose. This was in every case a coercion Bill of the worst description, and he denounced it as such in every way. If the House was not wearied, he would read another extract from Bishop Dorian's Pastoral. The right rev. Prelate said—

> "We met a boy on Thursday morning at 10 o'clock, in a back street, reeling on the pathway, about a month ago. We caught him by the shoulder, and recognizing who it was, he eluded the hold; but, seeing two women at

> hand, we asked—'What can be wrong with that child?' One of them answered—'He is not in his right mind; he has been taking a drop. I'm his mother, and I broke my pledge yesterday.'"

Would Sunday closing prevent or cure such a case as that? They said once before—and they repeated it again—if they were to have closing at all, let them try Saturday. They had an opportunity, not long ago, of inquiring in Glasgow about this matter; but the answers were conflicting, the stronger assurances being adverse to the good effects of Sunday closing—one naively suggesting a compromise, that the Government should give a ticket of licence to the consumer as well as to the vendor. Anyhow, the clamour and shrieking in the streets in the early hours proved that the mischief was done before Sunday dawned. He (Mr. O'Sullivan) would not be surprised if the next thing the Sunday closers, with a true Sabbatarian spirit, proposed, was that there should be appointed receivers over the earnings of the working men, and to control their expenditure. Such was the evidence of one of the most popular Bishops in Ireland. Now, it had been said that the majority of the population was in favour of the measure. Dr. Dorian showed the contrary to be the fact, and called in evidence of his view the Memorial which had been signed in favour of Sunday closing. In his own diocese 14 priests had signed out of a total of 120, and some of those with conditions attached. In Dublin 70 signed out of nearly 400; but what was most remarkable was that all the signatories were persons who were to be in no way affected by the law, should it pass, and gave no assurance that they should be adherents at their own hearths to the restriction they would impose. The hon. Member then proceeded to quote the remarks of Canon Griffin in the diocese of Kerry—[Mr. SULLIVAN: One of the greatest old Whigs in Kerry!] Well, he was glad to see they had one Whig against the Bill, as he thought all the Whigs were helping to pass the Bill — who, presiding at a public meeting, declared that the people of the district were sober, religious, and moral, and that no necessity whatever existed for Sunday closing. It was an extraordinary fact that many of the hon. Members who were supporting this Bill were members of the Reform Club; and, according to a report in *The Morning Post*, a motion to keep the rooms of the club open on Sunday was carried by a large majority. He considered it an extraordinary thing that those hon. Members should come down to the House and say that the poor working men should be deprived of their necessary refreshments on Sunday. It had been said that this was a burning Irish question, and there had been two deputations on the question. One had been composed of two Scotchmen in favour of the Bill, and the other composed of two Irishmen. Taking, therefore, one deputation against the other, they found that two Scotchmen coming from Ireland supported this burning question. It was well-known that this Bill was supported by the pious people from the North of Ireland, and on the Committee were Representatives both from the city and county of Londonderry; so that that county had more Representatives than the whole of Munster. Before going any further, he wished to call attention to the supporters of this Bill and those of the Permissive Bill, and he supposed that those who supported the Permissive Bill would be prepared to support the present measure. Now, this was going a great deal farther, and he would remind the promoters of the Bill that that night no argument had been shown in favour of the Bill. Had they ever heard any argument yet in its favour? He considered this was a Bill which, its supporters contended, did not depend upon argument, but upon votes, although they knew that four-fifths of the Irish people were opposed to it. ["Oh, oh!"] They would see at the next Election. Another ground on which this measure was opposed was that it was a piece of class legislation. The hon. and learned Member for Louth (Mr. Sullivan) and the hon. Member for Londonderry (Mr. Lewis) had been loud in their praises of this Bill; but they had heard no arguments from either of those hon. Members in its favour, although the latter hon. Gentleman was generally overflowing with arguments in support of any measure he advocated. The last coercion Bill they had which affected Ireland occupied the House for 12 nights; and he would be prepared to spend, at least, six nights in discussing this coercion Bill.

He would be glad to see this measure the subject of special consideration at the next General Election, for at the last Election the question was not recognized as a test point. It was a mistake to say that there was a strong feeling in Ireland, either one way or the other, with regard to this Bill. As yet, the question was only in its infancy, and he hoped it would be made a test question at the next Election. If that course were pursued, he had no doubt as to what the result would be. As such a proceeding had not yet taken place, he should feel it his duty to oppose the Bill in every form which the House allowed. [*Cries of* "Go on!"] He said he would not trouble the House further, but would reserve his best points until he saw if there was any argument brought forward in favour of the Bill.

The O'CONOR DON said, that during the last five hours and a-half only three speeches had been made, and that fact alone showed the character of those speeches. His hon. Friend the Member for Cork (Mr. Murphy) had began by saying that he did not desire to obstruct the Bill; but, on the contrary, he wished to give the House an opportunity of expressing its opinion regarding it; and he immediately set about proving the sincerity of this wish by occupying the attention of the House for two hours and 40 minutes, on the ground that there had been no discussion on the Bill last Session—totally oblivious to the fact that last year he laid before the House, in a speech of about the same length, almost identically the same facts and arguments as he had that evening. His hon. Friend told them last year, that when the people of Ireland heard of the evidence given before the Committee, a marvellous change would be seen in public opinion on this Bill; but the burden of his speech that evening was not of this change, but simply a repetition of his old speech. He (the O'Conor Don) would ask why the Committee was prevented coming to the conclusion which the hon. Member for Cork said would be against the Bill? That being the state of the case, and it being clear that the opponents of the Bill did not seek to convince the House but to waste time——["Order!"]

Mr. ONSLOW rose to Order. He was one of the opponents of the Bill, and that was not his object.

The O'CONOR DON said, it was true that the hon. Member opposite (Mr. Onslow) had disclaimed any intention of wasting time; but he appealed to the common sense of the Committee whether the speeches they had heard were made with a view of the Committee coming to a speedy decision on the Bill? What was the use of such statements when hon. Members who opposed the Bill openly stated in the Lobby that their object was to occupy as much time as possible? The supporters of the Bill were not to be blamed if they did not go into lengthy answers to those speeches. They were perfectly prepared to reply to any real discussion.

Mr. MURPHY rose to Order. The hon. Member had charged him with making a speech and repeating what he had said last Session. If he had been in the House he would have heard that he (Mr. Murphy) had introduced many new arguments and facts.

The O'CONOR DON said, he had heard the greater part of his hon. Friend's speech, and the largest part of it was a repetition of his speech of last year, and voluminous extracts from evidence given before the Select Committee last year. He would not dwell upon that point; but what he complained of was that the opponents of the Bill should move that the Chairman should leave the Chair directly the hon. Gentleman (Mr. Raikes) had got into it, without giving the Committee an opportunity of coming to the Amendments on the Paper. Could it be doubted what the object was in taking that course? It was said that no arguments had been given in favour of the Bill; but, on a former occasion, its supporters had adduced strong arguments which had convinced the House. At the second reading he had proved that no change had taken place in the opinion of the country on the subject. Yet it was said that there was no debate on the second reading. They had a very lengthy debate on the second reading this Session, although it was the same Bill that had before been discussed. It had been fought out in previous Sessions, and they had discussed it until they were quite sick of it. The Bill had been lost over and over again by this practice of talking against time, and the supporters of the Bill could not be expected to play into the hands of their opponents by attempting to deal with arguments which had been over and over again refuted. The hon. Member for Limerick (Mr. O'Sullivan) told them it was a coercion Bill of the worst kind; but, if that was the case, how was it that 20 out of the 27 Roman Catholic Bishops of Ireland supported it? The hon. Member had spoken that evening with great force of the one Bishop who was against the Bill, and all that right rev. Gentleman said was to be swallowed, while the opinion of the 20 Bishops who supported it were to be valueless. Why were they to suppose that those 20 Bishops were so much inferior to Dr. Dorian, or more likely to submit to a coercion Bill of the worst character? It was a slander on them to stand up and say that they would support a coercion Bill of the worst description. Ever since 1868 the movement in favour of total Sunday closing had been on foot; and, no matter what opposition the Bill encountered, it would be continually brought forward, until the legislation which was desired by the people of Ireland was enacted. At the commencement of the present Session, the right hon. Baronet the then Chief Secretary for Ireland (Sir Michael Hicks-Beach) said, with a view of securing, as far as they were able, a settlement of this question, and not have it delayed as it was last year, for want of time, the Government would afford facilities for its becoming law. Subsequently, the Chancellor of the Exchequer repeated the assurance, but coupled with it the condition that the promoters of the Bill were to accept certain Amendments of which the Government had given Notice. In view of the facilities which the Government had offered for the passing of the Bill if their Amendments were substantially accepted, there was no other course open to the supporters of the Bill but to accept this condition. He, therefore, wished at once to announce that the promoters of the Bill were prepared substantially to accept those Amendments, reserving to themselves the right of trying to modify them in some details; and, if those Amendments were passed, the cities in which many opponents of the Bill were so deeply interested would not be affected by its provisions.

MR. STORER: The hon. Member who has just sat down has precisely occupied half-an-hour, in which he has said nothing really in respect of the merits of the Bill; but has referred entirely to the tactics the opponents, whose long speeches he deplored, are pursuing. It may be right that he should be guided by the opinion of Roman Catholic Prelates; but that does not weigh with all the Members of this House; and I am glad to see that a large number of Irish Members are in the habit of thinking for themselves. The facts brought forward by the opponents of the Bill appear to me to remain unanswerable and unanswered. In saying a few words on this subject, I am not speaking for the sake merely of occupying time; but because I consider this for the moment an Irish question, but one very rapidly becoming an English question. We know very well that this is only a trial horse; and I object particularly to this Bill, not only as being hard and tyrannical, but because it is notoriously the thin end of the Permissive Bill. I object to tyranny of every description, from whatever quarter it may come—from the civil or religious body, from Czar or Pope, from priest or presbyter. Now, many of the labouring classes are entirely dependent on the public-house for their Sunday beer, and why should they be deprived of it because a certain Sabbatarian party choose to come here? With the poet I would say—"Because thou art righteous, shall there be no more cakes and ale?" This Bill, I think, would be likely to create an insurrection in the country. Of two things, one—either the people in whose interest it is asked to pass this Bill do certainly want to be hindered from drinking on Sunday or they do not. If they do, it is quite at their option to pass a public-house; and if they did so forsake the public-house it would very soon be closed; if not, then this agitation is got up in a hypocritical and underhand manner. Are the Irish people so weak that they cannot be trusted? Does it require a law to shut up public-houses so that they can be made sober by Act of Parliament? Has the Roman Catholic Church become so weak that it cannot restrain the working classes from making beasts of themselves? I speak merely on the assumption that drunkenness is so prevalent as alleged. I do not believe it. Where is the authority of the Presbyterian Churches and the lately established Anglo-Catholic Church, if they cannot present to the people convincing arguments to induce them to lead a religious and moral life? Having gone very carefully over the evidence taken by the Committee on this subject, I find that those who have had the greatest experience all come to the same conclusion—that if this Bill were passed it would lead to a much worse state of things and to illicit drinking. I, therefore, oppose the Bill.

Mr. COLLINS, while not finding fault with the hon. Gentleman (the O'Conor Don) for his speech in support of the Bill, regretted that the hon. Gentleman should have imputed to the hon. Member for Cork (Mr. Murphy) objects and intentions which could be regarded in no other sense than a desire to waste the time of the House. On behalf of his hon. Friend, he entirely disclaimed this object or intention, and he was sure the hon. Member, on reflection, would be the first to withdraw the insinuation. One observation made by the hon. Member for Roscommon had reference to the opinion of the Roman Catholic hierarchy on the question, and he stated that 20 out of the 26 Roman Catholic Bishops in Ireland were in favour of Sunday closing. On that point he (Mr. Collins) would refer to what had been stated by one of those Bishops on the subject of signatories. He stated that in his own diocese 14 out of 120 priests were in favour of the Bill, and that some of them had signed the Petitions with certain conditions and limitations. In the diocese of Dublin, out of a body of 400 priests, 70, he said, had petitioned in favour of the Bill; and that, inasmuch as not one of these gentlemen would be affected by the measure should it become law, it was no assurance that they would act upon the restraints which they would impose upon others. Public opinion, and the opinion of hon. Members on both sides of the House, had been, he believed, largely influenced by the fact that they were under the impression that the people of Ireland were unanimously in favour of Sunday closing. It was a most important thing that hon. Members should disabuse themselves of that idea; and to aid in that object he would point out that 250,000 *bonâ fide* signatures, representing a great portion of the adult population of Ireland, had been attached to Petitions against the Bill. Although there might be 300,000 signatures to the Petition in its favour, yet, as had been pointed out by the hon. Member for Cork, they were of a questionable character, and they did not represent the real public opinion of Ireland. No later than that evening a distinguished Member of the House, well known for his practice of temperance, told him he had been influenced by the fact that three-fourths of the Irish Members supported the measure. In a proposal of this severe and exceptional character, Parliament should not attempt to legislate until it had before it the almost universal opinion of those whom it would chiefly affect; but what was the case here? He found the working classes, assembled in public meeting, denouncing this Bill as an attempt at class legislation, which would abridge their rights and liberties. They also denounced it as an insult to their manhood, and as a tyrannical attempt to curtail their rights and privileges as honest and industrious members of society. If they wished to ascertain what was the opinion of the working classes, to whom should they apply for it if not to the working classes themselves? If they had ideas contrary to common sense and reason, he would not take notice of them; but if they could fairly and reasonably agree with those views, he did not see to what better authority the House could bow than to the working men themselves. He could not understand—he never had been able to understand—how Gentlemen professing the same views as he did, sitting on that side of the House, who aimed at the extension of political rights to the lower classes of working men—who contended that they were entitled to those privileges and could exercise them honestly and properly for the interests of the country—he could not understand how those same Gentlemen could come forward in that House, and elsewhere, and say that the same men to whom they would give the most important functions, as citizens, were unworthy of being trusted; and that they were incapable of self-restraint and self-control. Such conduct was absurd, for one idea must be erroneous, or else the other must. If they were incapable of looking after themselves, surely they were incapable of holding the rights which, on that side of the House, they sought for them. There was no Member of the House of Commons, whatever his opinions upon the subject of intemperance, who had taken a larger or more active part in promoting temperance in Ireland than he had done. At an early period of his life, he was the friend and associate of Father Matthew in the great struggle which he made in Ireland against intemperance. He presided at many of the meetings which he held, and he (Mr. Collins) believed he did as much as any man with whom Father Matthew was associated, considering his experience, age, and position. Therefore, he could address the House with some degree of confidence upon the subject of the sobriety or intemperance of the people of Ireland. From his experience and interest in the matter, he must confess that he was horrified at the prospect of the amount of moral contamination which this measure would, if passed into law, bring upon the industrious household, as there could not be any doubt the result of it would be to introduce into the virtuous homes of the Irish people an immense amount of illicit drinking. The effect of the passing of this Bill would be that intoxicating liquors of the most objectionable kind would be introduced into households. Women and children, instead of preparing to enter places of worship, as they did now, in a condition of respectability and self-respect, would see intoxicated men about them—men who had not recovered from the revels of the previous night, and they would be forgetful of the day of rest and of worship. That was a fair and proper picture to draw of the condition of things which would result from the passing of this measure. But there was another, and if anything, a worse evil, and that was that they would promote illicit drinking in unlicensed houses; they would give encouragement to a wretched class of houses, where all manner of improprieties and immorality existed. Drunkards would always find their way to these places; and instead of frequenting houses which were under the sanction of the law, and conducted by men who knew the consequences of violating the law, they would be conducted by profligate scamps who ought to be scouted. He accepted the Bill as inevitable; but he desired to see it modified in such a way as to make it acceptable to the people of Ireland. If they brought a change of this kind suddenly upon them, it must necessarily result in dissatisfaction and discontent; and, it might be, in something worse. That was a condition of things which he was sure they would deplore; and he would say that his object in putting those views as strongly and emphatically as he had, was in no way to interrupt the progress of the measure, but with the object of making it the most tolerable of restrictive measures which the House was capable of doing.

Mr. ISAAC thought it would be unwise on his part to allow the Bill to proceed any further without giving his reasons why he should vote against it. He believed such a Bill as this would be one of the greatest blows the temperance societies had ever had. In his opinion, if Parliament legislated, and endeavoured to restrict the rights of the English people, the more they would urge them on to the very acts which they desired to remove them from. He considered that in the last few years they had seen sufficient legislation regarding the liquor traffic; and he hoped, as speedily as possible, that a stop would be put to legislation in that direction. He had in his possession some facts which showed very clearly that this kind of legislation, as regarded Scotland, had proved to a great extent injudicious, and certainly an encouragement to intemperance. They had been told that this measure was one entirely for Ireland to decide upon, but he disagreed with that. It certainly had not been proved to his satisfaction that a majority of the people of Ireland were in favour of this Bill; and he believed that if they were polled at this moment, it would be found that they were decidedly against its becoming law. He would not discuss the question of Petitions—they had already been fully before the House; but he considered the signatures to the Petitions in favour of the Bill, viewed in the light in which they had been exposed that night, had caused some doubt as to the value of public Petitions to Parliament at all. He objected entirely to the whole principle of the Bill, and also to the Amendments. The Bill, to his mind, was an imposition on free trade; and he thought Parliament had no right to pass any measure which would at all interfere with property; and it would be an injustice to traders if that Bill ever passed into law. He desired to quote some figures as to the result of the working of the Forbes-Mackenzie Act in Scotland taken from a Return made to the House on the Motion of Mr. Henley, the late Member for Oxfordshire. In 1851 the number of persons taken up for drunkenness and disorderly conduct was—in Glasgow, 14,370, and in Edinburgh, 3,793; while, by the Returns of 1871, when there had been 20 years of Sunday closing, the numbers had increased in Glasgow to 49,696, and in Edinburgh to 5,400, showing a very large increase, and something faulty in the system. He admitted that between the years 1871 and 1876 the number of cases in Glasgow decreased, but in Edinburgh they increased; in Dundee they nearly doubled, and in Aberdeen they were greatly on the increase. In the year 1851 the total number of cases in these three places was 27,643, and in 1876 58,630, or they had more than doubled, whilst the population had been increasing only one-third. He asked the Committee to say whether these facts were not conclusive, so far as Sunday closing was concerned, in favour of letting things alone? Then he came to the question, whether this Bill was popular in Ireland? If they went back to the Election before last, they would find that Mr. Pim and Sir Dominic Corrigan were returned to Parliament in the years 1868 and 1870 respectively, when Sunday closing had not yet been thought of, and they were returned by large majorities. But, at the Election of 1874, what was their fate? Sir Dominic Corrigan would not face his constituents again, and Mr. Pim was rejected by the city of Dublin by a majority of two to one in favour of the hon. Gentleman who now sat for Dublin in that House. They could have no better proof, he contended, that the Bill was not popular in Dublin, though it might be with a certain number of people in Ireland. To show what the fact was in Scotland, he would now quote from a Return which he had moved for last Session, and which gave them for the years 1874, 1875, and 1876, the number of persons summoned before various magistrates in the principal cities of Scotland for being found in shebeens, and of those dealing with or keeping spirits in unlicensed places. It appeared from the Return that, in the cities of Edinburgh, Glasgow, Dundee, and Aberdeen, the total number of persons taken into custody in shebeens was 492, of whom 423 were convicted, and that the number taken up for selling spirits in unlicensed places was 1,087, of whom 793 were convicted. He maintained that these figures proved the impolicy of interference with this trade; and he believed, in fact, the more they legislated in that way the greater encouragement they gave to infraction of the law. He agreed with what had fallen from many hon. Members in the debate, that this Bill was an interference with the rights of working men, and it was in their interest that he spoke on that occasion. He asked hon. Gentlemen from Ireland, who were promoting and supporting this Bill, whether they had made any reference to this subject in their Election addresses? He doubted very much whether a single man had made it a stalking-horse for the votes of their constituents; for he felt that, if they had done so, they would not have been in that House at that moment. He contended that in this matter there was an attempt on the part of the minority to legislate for the majority, and that they were not justified in any such legislation. If they left the doors of the public-house open, he believed the working men would pass by, except they felt that they fairly and legitimately and with moderation had necessity for using them. It was against the common sense of this country to attempt to legislate as to how a working man should conduct himself. He had a right to spend his time in any public-house, the law saying he should conduct himself properly when there and when he left it. He had been informed that, of the thousands of persons who availed themselves of the privileges of the present law, only one in every 1,000 infringed the law; and he objected to the notion of a law being passed to prevent 999 persons having reasonable refreshment because of the misconduct of one person. The Bill would be an infringement on the rights of the people, and he hoped all who entertained that opinion would use every Constitutional means to prevent its passing.

SIR JOSEPH M'KENNA desired to say a few words on the merits of the Bill. The leading arguments put forward in favour of the Bill had been that 19 Roman Catholic Bishops had joined with a large number of Protestant Prelates and clergymen in support of it; but he did not approve of the way in which those signatures were obtained. All agreed that drinking to excess was very bad for the individual and for the population; and all agreed that its repression, within fair and reasonable bounds, was desirable. He said deliberately that the signatures of most of the Bishops and clergymen with whom he had communicated had been obtained under the impression that the drinking on Sunday was in excess of that on any other day. Nothing had been more clearly proved by the statistics given by the hon. Member for Cork (Mr. Murphy) than that if there were any day in the week for which the exception could be claimed in favour of temperance it was Sunday. He would admit, that if this fact could be refuted, the whole basis of his argument was gone. His argument was that, it having been proved that the offences with regard to drunkenness on Sunday were as one to ten of the week, instead of one to seven, the fact was a complete answer to this Bill. But they were not dependent upon that, for they had had the opportunity of testing the working of similar legislation to this in other countries. The hon. Members from Scotland, like sensible men, had tried to make the best of their bargain, and would bear with it for a reasonable time, and until they could bear with it no longer. In Scotland the results of the Forbes-Mackenzie Closing Bill spoke volumes. In the preceding Session the last Paper moved for by Mr. Henley was one relating to drunkenness in all the towns of England, Scotland, and Ireland; and on reference to this, he found that the offences owing to drunkenness committed in Ireland exhibited a very satisfactory comparison against those of Scotland. In 1876, the population of all the boroughs in England approximately amounted to about 10,000,000—being, in 1871, 9,115,000. The number of offences for drunkenness during the year 1876 for all England was 104,000. The population of all the borough towns in Ireland amounted only to 800,000, including the population of Dublin, Belfast, Limerick, and the other great towns. For the 800,000 inhabitants, the total number of offences for drunkenness and disorderly conduct in 1876 amounted only to 8,781. That total included the offences not only on Sunday but on every day of the week. On the other hand, in Scotland, the borough population was about 50 per cent greater than in Ireland, being 1,264,000. If the same proportion of convictions for offences occurring from drunkenness held with regard to Scotland as to Ireland, the number ought to be about 13,500 in 1876. But the Return showed that the number of that class of offences was no less than 58,630. Those figures were so astounding that he hoped hon. Members would consult the Return, with a view of testing whether the Forbes-Mackenzie Act might not have contributed to the state of things which existed in Scotland. In his opinion, the Sunday closing enforced by that Act had been instrumental in inducing people to bring home whiskey and strong drink on Saturday, instead of going to the public-house for beer on Sunday. It was important to consider whether the present measure would not have that effect upon the population in Ireland. At present, there was a considerable proportion who drank beer instead of whiskey; but if they were prevented from having beer on Sundays, they would be induced to follow the example shown in Scotland, and take to whiskey. It was not desirable to encourage the people to exchange the comparatively mild drink of beer for ardent spirits. He had never voted against the Bill; but he believed the 19 Bishops who had signed in support of it had done so under an entire misapprehension of the facts underlying the case. No doubt they thought that they were doing what they could for temperance, believing that Sunday was a day made use of for drunkenness to a greater extent than any other day of the week. Therefore, they considered it becoming to them, as Christian Bishops and ministers, to give their support to the measure. Some of them had already found out, he believed, the real facts, and had regretted having supported the Bill. He had had the same experience, and was now opposed to the Bill in common with the great majority of the people of Ireland.

Mr. ORR-EWING said, that the hon. Member who had addressed the House in opposition to the Bill had referred to an Act passed some 30 years ago, and he thought it his duty, as a Scotchman, to inform the House of the real state of feeling in Scotland as to the results of that legislation. He believed that no Act ever passed had had a more beneficial effect upon the morals of the people than the Forbes-Mackenzie Act. All the opinions that had come to his knowledge from different sources had been to that effect. If he rightly understood the argument of the hon. Member for Nottingham (Mr. Isaac) it was that they must do away with all interference with public-houses. Surely, the House had for many years acknowledged the necessity of doing something to regulate the liquor traffic. With respect to the statistics that had been quoted, they were open to the observation that if they applied to Sunday they also applied to the whole of the week. From his experience of Scotland, he could say that since the passing of the Forbes-Mackenzie Act great improvement had taken place as to Saturday and Sunday, and he looked back with horror and dismay to the state of things that existed before. The passing of this measure would be a most beneficial thing for Ireland; and he thought the hon. Members for Scotland ought to give Irishmen their hearty support in passing the Bill. It was opposed only by a small minority of Irish Members, who used the Forms of the House to delay its passing.

Mr. P. J. SMYTH: The Amendments proposed by Her Majesty's Government will lessen the practical evils which are sure to flow from this measure; but all the reasons for exempting the five cities apply with equal, if not greater, force to the rural districts. The Bill is wrong in principle, and, therefore, wholly wrong. The supporters of this Bill appear to think that they establish their case if they can prove that Irish opinion is in favour of it. On that point, I apprehend, we are bound to accept the doctrine enunciated long ago by Edmund Burke, and expressed this Session in his speech on the county franchise by the right hon. Gentleman the Member for the University of London (Mr. Lowe)—that it is the duty of this House to legislate, not with the view of meeting the wishes of a section or a locality, but of promoting the public good. The declared wish of the portion of the community affected by any particular measure is an imperative reason for taking the measure into consideration; but the intrinsic merits of the measure itself, having regard to the public weal, must be the basis of legislation. This I take to be the Constitutional doctrine; and I regret to perceive a disposition on the part of the House to ignore it in this particular instance. The consequences, however, of indulging this amiable disposition may prove hereafter excessively inconvenient. If Sunday closing is conceded to an Irish demand, real or supposed, why not fixity of tenure, for example? This Session a Land Bill, supported by an immense majority of the Irish Members, was voted down in the House. I do not impugn the motives which prompted the House to reject that measure; but the fact remains that, if the wishes of the Irish people alone were consulted, it would have passed. I may be told that that Bill affected rights of property. Well, this Bill affects rights of property. It deprives the legitimate trader who has invested his capital in public-houses of the profits accruing from Sunday trading, and it does this without even an allegation that such trader has violated the letter or spirit of the existing law, on the strength of which his investment was made. Is not that man's property affected? Are not his vested interests assailed? And, be it understood, rights of property in the publican are as sacred as rights of property in the squire. But this Bill affects something more sacred still than rights of property. It affects the personal rights of man in society. At present every man in the land has the right to procure refreshment on any day of the week in licensed houses of entertainment. A mere abstract right it may be in the case of the majority—that is their own affair—but, in the case of the minority, it is a concrete right which it were tyranny to take away, unless upon clear and indisputable evidence that its exercise is attended with serious injury to the community at large. Has that evidence been produced? Where is it? It is nowhere; but in its place we have unimpeachable evidence that the day against which we are asked to legislate is of all days in the week the most sober. We are asked to legislate ostensibly against drunkenness, and the day selected for the experiment is noted *par excellence* for its sobriety. A Bill for total closing would be intelligible—a Bill for Sunday closing is an anachronism and an absurdity. If I could believe that this Bill embodied the sense and will of the Irish people, for my part, so far as they were concerned, I should not take the trouble of opposing it. I would say, let them have it; such a Bill is too good for a people who could come before this House proclaiming that they are incapable of self-control, unfit for self-government, who must have an Act of Parliament and the police to save them from the vices of their own character. But matters have not come to that. The real opinion of the country—the opinion of the classes immediately affected—is opposed to this measure. Knowing, as I do, the difficulty of obtaining an expression of opinion in Ireland on subjects which do not appeal to religious or political passions, I confess I have been agreeably surprised at the manifestation of hostility which this measure has evoked. In rural districts meetings are rarely held on any subject, and vast numbers of Irishmen, for reasons unnecessary to enter into, are totally averse to signing Petitions at all. I ask leave, also, to direct the attention of the House—and especially of the right hon. Gentleman the Chief Secretary for Ireland—to the anomalous fact that, by a peculiar law, the like of which is not to be found in any other part of Her Majesty's Dominions, no person or body can meet there by delegation. It is a matter of extreme difficulty to ascertain, with anything like certainty, the real feeling of Ireland on any subject whatever; and this unsatisfactory state of things is traceable directly to the deadening influence of the law to which I refer. I am aware that copies of a Memorial, numerously and influentially signed, have been placed in the hands of hon. Members. The House will determine what value should be attached to signatures which, however respectable, are those of persons who, because they do not require to use public-houses themselves, magnanimously demand that they shall be closed against those who do. These disinterested philanthropists do not drink, in public—that good thing they do by stealth, and blush to find it fame. No one impugns their right to indulge in that way a reasonable appetite. But I venture to suggest that their philanthropy also might be more appropriately reserved for domestic use. I might apply the same remark, perhaps, to those English petitioners who are so kind as to favour us with their Irish ideas on Irish Sunday closing. There is a certain institution in the United States for reformed persons—a penitents' retreat. On one occasion, an applicant for admission, in answer to some leading questions respecting his or her past life—I forget whether it is a male or female retreat — indignantly disclaimed all knowledge of such things. "Oh, then," said the director, "you must go and qualify." I submit, that persons who do not use, nor require to use, Irish public-houses, are not qualified witnesses; that they do not come into court with clean hands; and that the only testimony really deserving of weight is that of Irish persons who do use, and are compelled to use, public-houses. Some persons support Sunday closing under the delusion that it would remove a temptation. But the world abounds in temptation, and no Legislature can legislate it away. It is there, on the whole, for man's good; and the highest mission of the legislator and the philanthropist is not its removal—which were an impossibility—but to lift a man above it. Why, I would like to ask, if Sunday closing be the will, as alleged, of the Irish people, do they not voluntarily adopt it, instead of applying to this House for a coercive law? There is no law compelling the publican to keep open house on Sunday; no law compelling people to enter the public-house on Sunday; the magistrates are empowered to grant six-day licences—why, then, this demand for an Act which affixes a stigma on a nation? Thirty-five or 40 years ago the population of Ireland was nearly double that which it is at the present day—whiskey was more than one-half as cheap, and intemperance prevailed to an extent now happily unknown. What did Father Matthew, whose memory is revered as that of the Apostle of Temperance, do? Did he petition for an Act of Parliament to save the people from themselves and their weaknesses? Did he found a Sunday Closing Association? Did he, in the face of Europe and America, represent his countrymen to be so degraded that an Act of Parliament alone could rescue them from the mire of bestial indulgence? No, he went amongst the multitude, expounding the doctrines, of Christian morality, of patriotism, of manhood, and of self-reliance, He appealed to the reason of the people, to their feelings, their sense of pride, and their sense of duty; and, when he ceased to speak, the multitude, as if moved by one common impulse, cast themselves before him, and vowed that, with the blessing of God, from that day forth they would be free men, not slaves, resolved to resist temptation, and triumph over it. That was a noble spectacle—a sublime manifestation of national virtue. The highest possible testimony to the efficacy of Father Mathew's labours was borne by Mr. O'Connell, when he declared that but for them he could not have ventured to hold his monster meetings in 1843. I ask the House, by its vote on this question, to pronounce in favour of the method of Theobald Mathew, who gave us sobriety without the sacrifice of personal liberty, and against that of the latter-day reformers, who pretend to give us sobriety by Act of Parliament and the police. I ask the House to consider this Bill on its merits, dismissing as irrelevant if true, as scandalous if untrue—which I believe it to be—the assertion that it is the will of the Irish people. Will or no will, it is founded on principles which should not receive the sanction of an enlightened Legislature. If passed, it will aggravate the evils it professes to cure, and will prove infallibly a new source of discontent in Ireland.

Mr. GOLDSMID moved to report Progress. The Chancellor of the Exchequer had said the other day that that evening was to be devoted to the discussion of the Sale of Intoxicating Liquors on Sunday (Ireland) Bill. But there was a strong feeling, upon the part of many Irish Members, that the debate should not close in one evening, which had been amply proved by what had taken place.

Mr. COGAN rose to Order, as there was a Motion already before the Committee.

The CHAIRMAN said, there was a Motion before the Committee—that he should leave the Chair. It was not competent for any other Motion to be brought forward before that was disposed of.

Mr. GOLDSMID was of opinion that they should not waste any further time discussing a measure like the present while great national questions were pressing, and the Chancellor of the Exchequer had arranged to bring up his Report on Supply that evening. He begged to move to adjourn the debate.

The CHAIRMAN ruled that the Motion was out of Order.

Mr. GOLDSMID then supported the Motion that the Chairman should leave the Chair.

Mr. O'CONNOR POWER said, that during the discussions in the House for the last three or four Sessions he had listened with respectful attention to everything emanating from the hon. Member for Westmeath (Mr. P. J. Smyth) with respect to this Bill, in the vain hope that he would bring forward some new argument calculated to influence the decision of the Committee. It would be in the recollection of the Committee that the hon. Gentleman endeavoured to influence their opinions by appealing to Constitutional procedure. He would do the same, by showing that the House of Commons had never delayed legislation until it was possible to consult every class in the community which the legislation would affect. Taking the case of the franchise, the House did not wait until the classes to be affected by the enjoyment of the franchise were united in the demand for extension of it. On the contrary, the object of the Legislature was to have regard to the interests of the whole nation, and to legislate just so soon as it was convinced that a certain measure was for the public weal. The classes affected by the Sale of Intoxicating Liquors on Sunday (Ireland) Bill had been appealed to by numerous public meetings held all over Ireland; and when the House, in 1876, assented, by an overwhelming majority, to the second reading of the Bill, the hon. Gentleman who opposed the Bill asked that the matter might be postponed, in order that the opinion of the classes affected might be brought before the House. He had no doubt that it was within the recollections of hon. Members that that language was adopted. And the same tactics were repeated in 1877, the intervening time having been occupied by a most powerful Association, not in trying to elicit public opinion, but in trying to divide the deliberate expression of that public opinion, which had been manifested for so many years. It had been further asked why, if the people of Ireland were in favour of Sunday closing, did they not close voluntarily? He answered that by saying that the people of Ireland had it not in their power to violate the law; they had not the power to compel the publican to close his doors. The same arguments had been repeated over and over again by the hon. Member for Westmeath and by the hon. Member for the city of Cork (Mr. Murphy). They had declared that Sunday was the most sober day of the week. His answer was that Sunday was the day of the week when the public-houses were least opened. But there was a still stronger and weightier answer. Certain classes found themselves, on Saturday, suddenly possessed of the proceeds of their week's labour, and the temptation to drink was particularly strong. In consequence, many of them, in two or three hours, spent nine-tenths of their money, and as so much had been spent on Saturday there was but little to spend on Sunday. In the statistics so dexterously manipulated by the hon. Member for the city of Cork they were not told the amount of drink consumed on Saturday, and of the number of offences arising from Saturday; but Saturday was bulked with the other days of the week and Sunday, and the House was treated to the result so obtained as the average of each day. That was not a fair way of placing the facts before the House. But he had two other good answers to Sunday being the most sober day of the week. The question of personal liberty had been said to be involved in the Bill; but what had been said with regard to it had been answered by what followed in the speech of the hon. Gentleman. He closed with a splendid panegyric on Father Mathew,—how he spread the sacred gospel of temperance throughout the land. But it was forgotten that every man, in pledging himself to Father Mathew to abandon intemperance, gave up his personal liberty, and declared that he was incapable of self-control. The hon. Member must be content to be impaled on the horns of his own argument. They had had a repetition of the argument brought forward previously by the hon. Member for the city of Cork, who had occupied two hours and a-half in order, as he said, that the House might have an opportunity of again discussing the principle of the Bill. But in 1877 the hon. Member spoke for two hours in opposition, and he did the same in 1876. There was thus no justification for the extreme course taken in obstructing the passage of the Bill. The opponents of the measure had referred repeatedly to the opinions of Select Committees; but it must be remembered that they sat a very long time ago, and although public opinion might not then have been in favour of the Bill, it had now changed. It had been further said that, as the result of passing the second reading of the Bill in 1877, the sum of £250,000 had been subscribed in Manchester and the North of England to carry on the agitation in Ireland. But the fact that people could be induced to make so great a sacrifice for the sake of the morals of Ireland could be referred to with pride by the promoters of the Bill, as evidencing the purity of the ends they had in view. With respect to Petitions, the opponents of the Bill had better say nothing. They had resorted to every effort to discredit the Bill and had failed, and the Committee of Petitions had suggested a doubt as to the validity of those presented by them. The hon. Member for the city of Cork undertook to prove three propositions. The first was, that Sunday was the most sober day of the week in Ireland. There were excellent reasons to show why it was; and if they could only lessen the hours during which public-houses were allowed to be opened, they could speak of it in warmer terms than now. His second proposition was, that the Irish people did not want Sunday closing. The challenge thrown out by him had been accepted in previous years, and answered to the satisfaction of the House, by the Petitions that had been laid upon the Table. The third and most important of his propositions he did not succeed in proving. He said that the Bill, if passed, would not diminish intemperance; and he referred to the failure of similar legislation elsewhere. But the denunciation of the Forbes-Mackenzie Act came exclusively from Irish Members, and in no single instance had it been repeated by hon. Gentlemen from Scotland. If any Scotch Member did denounce the Act, he ventured to say he would be in a small minority with the people of Scotland. Taking up the propositions of the other side one by one, they had been answered in and out of the House. There was no other device for the opponents of the Bill but to avail themselves of the privilege of obstruction—the argument for delay. He deplored such tactics should have been initiated, and was sorry to see the sacred name of obstruction brought up. The opposition of the Bill in Committee had come from Irish Members, who had been conspicuous by their absence when other Irish interests were at stake.

MR. KING-HARMAN, speaking upon this question as an Irish Member, who had given it his fullest attention, said, he had studied the habits of the people; and he expressed his belief that he had the welfare of the masses at heart as much as any other Member of the House. He frankly confessed, after considering the whole matter, that he was entirely at a loss to know on which side to give a deliberate vote. He said so, because there were, on one side of the question, many arguments which appeared convincing until he heard the arguments on the other. There were arguments that applied to one part of Ireland which were not applicable to the other; but there was one point which had not been contradicted, and which he thought could not be contradicted—namely, that the request for the passing of the Bill had emanated from a large and influential portion of the community, and had been backed up chiefly through the instrumentality of the clergy of all denominations. He, for one, did not believe that the clergy, of either one or all denominations, were infallible; but in Ireland, no doubt, they had particular and special opportunities of knowing what were the feelings and sentiments of the lower classes. A large majority of the people who had signed Petitions had done so under the impression that they were supporting a measure which would relieve the country from the growing evil of intemperance. The question was a difficult one to deal with, and his opinion was that it could be solved only by a direct experiment. What, therefore, he suggested was that the Bill should be passed, not as a permanent measure in the first instance, but for two or three years. After that time, if the trial proved successful, and the Bill commended itself, not only to the Irish people, but also to their friends on this side of the water, that result would furnish an unanswerable argument for making it a permanent measure. The Amendments proposed by the Government might be inserted in the Bill, which could first be tried in the country places; and then, if it succeeded there, that fact would justify its application in a year or two to the towns. If the promoters believed it was a good Bill, they could have no objection to its being passed as a temporary measure.

MR. M'CARTHY DOWNING, who had never before given a vote on this question, said, he represented a county—Cork—to which frequent reference had been made in the course of the discussion. He had endeavoured to make himself acquainted with the feelings of his constituents. In the years 1876 and 1877, he was under the impression that the majority of them were in favour of this measure; but, after a most careful investigation of the opinions of the people in the county, he had come to the conclusion that he had been utterly mistaken in the first instance. On that, the former, occasion, he spoke of some Bishops in Ireland who had signed a Memorial in reference to the Bill, and he had since received from them an intimation that, for a considerable time, they had not been able to make up their minds as to whether there was a necessity for a measure of this kind or not. On behalf of one Bishop he could say that, if he had again to exercise his opinion upon the subject, he should withhold his signature from any Petition that was in favour of the Bill. With regard to some observations which had fallen from the hon. Member for Mayo (Mr. O'Connor Power), he did not think they tended to elevate the character of Irish Members. He regretted that, amongst them, were to be found, on almost every occasion, some hon. Gentlemen who took advantage of the opportunity in debate to cast reflections, upon other hon. Members of their own body, which were totally undeserved. For his own part, he could only say that, if he had to depend upon an hon. Member's vote in favour of the independence of the people, he should rely upon the vote of the hon. Member for Roscommon (the O'Conor Don) as much, if not more, than upon that of the hon. Member for Mayo (Mr. O'Connor Power). He wished to read to the Committee a letter which had been written to him on this question, without any solicitation on his part, It had been written in consequence of some observations made by him last Session, when he expressed no opinion either for or against the Bill, but held that the wiser course for the Government would have been to introduce a Bill of their own limiting the hours on the Sunday, and also on the Saturday, instead of closing the public-houses entirely on the former day. His opposition to closing them for the whole day was based upon his experience, as a presiding magistrate, and upon the Returns made on the subject, which showed that there was less drunkenness on Sunday than on any other day of the week. That opinion, which he had expressed on the former occasion, he still adhered to. The letter which he had received was a speech in itself upon this question; it was written by a distinguished member of the Catholic Church, holding a high position as a canon, and a man of great experience. The hon. Member then read the letter. In it the writer expressed approval of the course which the hon. Member (Mr. Downing) was taking with respect to the Bill. If it passed into law, he was convinced that it would work mischief: it certainly would not promote respect for English law, nor improve the morals of the people. On the contrary, it would be regarded as a new stroke of coercion, and there would be evasions of the law in every shape and form. Bad whisky would be substituted for nourishing and wholesome drink. The real defects of the measure were that it had no sympathy with the wants and wishes of the working classes. The result of the efforts of the promoters of the Bill, if successful, would be the worst species of class legislation. The writer denied that the majority of the Irish people were in favour of the Bill. If each parish, borough, town, and city were empowered by law to decide for itself on the matter, the opinion of the people would then be respected. The power might be given to the Parliamentary voters in each district, or to the ratepayers, to shut up public-houses on Sunday if they thought proper. Could not, the writer asked, a provision to that effect be introduced into the Bill when it went into Committee? It would bring the matter to the test of public opinion. Those who wished to close on Sundays would then have their way, and there would be no coercion on either side. The hon. Member, in reading the next passage in the letter which he had been quoting, called the particular attention of the Chief Secretary for Ireland to it, as the expressed opinion of a parish priest, in the county of Cork, who occupied a high position. Referring to the exemption of large cities from the prohibition, nothing, he said, could be more mischievous, as it would be drawing the young men from surrounding districts into all the vices of those cities. Besides, it would be necessary to double the number of police to enforce the provisions of the new law, and there would be prosecutions without end. After reading this letter, the hon. Member commended the advice it contained to the consideration of the Committee and of the Government. With reference to the Government, who were, to some extent, supporting the Bill, he did not believe they were giving it sincere support on the present occasion. If they were now to escape from fulfilling their former promise to support it, what, he asked the Committee, would be the result if the Bill became law? Those hon. Members, who were acquainted with the habits of the people, knew the result would be this—if public-houses were closed entirely on the Sunday, the shebeen houses would increase, where whisky would be sold, without a licence, to people on the Saturday night, who would meet together in a neighbour's house on the Sunday, and there drink with their wives, while the children looked on. Instead of a man going into the public-house and drinking his glass of whisky-and-water quietly, there would be a number of persons assembling together and drinking amidst disorder on the Sunday. He had spoken to many clergymen on this question; and the fact that out of nearly 400, under the jurisdiction of Cardinal Cullen, only 70 had signed the Petition in favour of the Bill, was the strongest proof that could be given that the body of the Catholic clergy of Ireland were opposed to it. The Government would act wisely if they deliberated before allowing this Bill to become law. If they allowed the large towns to be excluded from its operation, injury would be done not only to the residents in those towns, but also to young men and young women who would be encouraged to drink there at night. If the measure passed, his belief was that an agitation would arise greater than the Government at present expected.

MR. MURPHY, in reply, repudiated the imputation, conveyed by more than one hon. Member who had addressed the Committee, with regard to his conduct in moving that the Chairman leave the Chair, and assured the Committee that he had come down to the House sincerely anxious to lay before the Committee evidence, taken by a Select Committee, and Petitions in support of the opinions of the Irish people on this question, which could not have been laid before the House until that evening. The progress of public opinion in opposition to this Bill was summed up thus: in 1876, there were 86 Petitions, with 50,000 signatures, against the Bill; in 1877, 230, with 104,000 signatures; and in the present year, up to the 22nd of March, there had been presented also against the Bill 590 Petitions, with 207,000 signatures—all of them from the people of Ireland. These figures fully answered the challenge he threw out last year.

Question put.

The Committee *divided:*—Ayes 50; Noes 170: Majority 120.—(Div. List, No. 83.)

MR. GOLDSMID remarked, that both sides would agree to one thing—namely, that they had wasted an evening; and, under these circumstances, he did not think it was necessary to waste any more time. He would, therefore, move to report Progress. He hoped the Government would give the House a hope that they would not hear anything more of this Bill this Session. He was not aware that the hon. Member for Cork (Mr. Murphy), in his somewhat lengthy speech, had moved that the Chairman should leave the Chair, or he should not have made the Motion he had at an earlier period of the evening.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Goldsmid.*)

MR. COGAN agreed that a good deal of time had been wasted; but he trusted the Committee would not allow the opposition to this Bill to be successful, or the system of government by majorities would cease, and government by minorities would take its place. He trusted the Committee would maintain its just rights and privileges.

THE CHANCELLOR OF THE EXCHEQUER said, he had been very anxious they should have taken an opportunity that evening really to discuss some of the Amendments that had been put on the Paper. It had been the pleasure of some hon. Gentlemen to raise again the whole principle of the Bill, and they had now reached an hour not very favourable for the discussion of the various Amendments, though in Committee, of course, they might be able to amend some of the details. It would, however, be very difficult to ask the Committee to go on with the Bill now.

THE O'CONOR DON was sorry to hear those remarks from the Chancellor of the Exchequer. It would be impossible for him (the O'Conor Don), as partly responsible for this measure, not to press it on till some progress was made. It was true it would be difficult at that time in the morning, under ordinary circumstances, to ask the Committee to enter on new business; but they must remember the peculiar circumstances connected with this case; and they must remember what would be the effect—the necessary effect—of accepting this Amendment. It would be to encourage in the future the same course of conduct which had caused such a waste of that evening. Still, he would hardly feel justified in asking Her Majesty's Government to go through the form of going on every occasion into the Lobby. But this he might say—that unless the Committee determined that the will of the majority should prevail, and that the minority should not overthrow them, they might as well say at once that the minority was to govern. This was a Bill relating exclusively to Ireland. Well, the number of Irish Members against the Bill in the late divisions was 13, or, with the two Tellers, 15, in all. Every single Member that could be possibly got to oppose the Bill was whipped up that evening. These were facts; and he would put it to the Committee, whether they would submit to a small minority of 13 or 15 against the whole House? If they postponed it to another evening, it would be quite possible for the hon. Member for Cork (Mr. Murphy) to move that the Chairman leave the Chair, and to deliver again the speech he had delivered that evening; and it would be quite possible for hon. Gentlemen again to enter on the whole subject. Therefore, it was essential for the Committee to show, by making some progress, that the will of the majority must prevail.

Mr. CALLAN said, it was the first time he had heard of "tyrant minorities." It was the first time he had not acted in that House on the principle always advocated by the hon. and learned Member for Kildare (Mr. Meldon), that when hon. Members were in a minority they were to yield to their opponents. He was now in a minority of 13 Irish Members. He had been in minorities on Irish coercion Bills when the hon. and learned Member for Kildare had been on the other side. The minority of 11 represented, he believed, the feeling of the country; and when the Election came on it would be shown that those 11 did represent the feeling of the country, for every one of the 11 would be returned to that House, and the tyrant majority would be rejected. Twenty minutes to 2 was not the time to proceed with a Bill of that kind, and if hon. Members would suggest terms of compromise they would consider them; but he did not think it would be in accordance with the feeling of the country or the House to proceed with the Bill at that time in the morning.

Mr. SANDFORD sympathized with the hon. Member for Roscommon (the O'Conor Don) in the position in which he was placed. It was an awkward position for private Members with Bills of this character. He wished Her Majesty's Government would take a more decided course. There were two courses open to the Government to pursue—either they were favourable to this measure or they were not. If they were favourable, let them take the measure into their own hands, and submit it in their own shape to the House. On the other hand, if they opposed this measure, let them oppose it with the united force of the whole Government. In either case they would pursue a straightforward and honourable course; and, at all events, the Committee would know in what position the Bill was placed.

Mr. SULLIVAN held that the hon. Gentleman who had just spoken had hit the right nail on the head. As to the Eleven of all Ireland, he should make no complaint of a minority of that House, who conceived that they were contending for a great principle in using the Forms of that House to oppose a particular measure. Members of that House had a duty cast upon them. When there was a change in the Chief Secretaryship for Ireland there was an evil omen. There was a wonderful deputation waited upon the new Chief Secretary, who, he hoped, was going to follow him and state the intentions of the Government. The story went that he was not aware that there was a reporter present among the respectable publicans and hon. Members, and that he made a speech, with the frankness and candour which always distinguished him, on the obstructionist tendencies of that House. That spread throughout Ireland an unfortunate apprehension that the policy of the Government on this question was to be a Pontius Pilate policy. They would put an end to all responsibility, and would trust to the Eleven of all Ireland, backed, as they had seen that night, by a certain representation of English Members. The Committee had seen what had gone on there that night. It might be un-Parliamentary to call it a farce; it might be too much to call it a tragedy; but he must say that, although he had laughed at much that was said, still it was impossible not to feel something of sorrow, and something of grief and shame, that on an occasion of this character Her Majesty's Government, while aware of the hopes of the nation on this question, should not have the courage of their convictions on the floor of that House. On a question that touched the peace, welfare, and morality of Ireland, Her Majesty's Government would neither say that they would oppose this Bill, nor that they would have their own Amendments passed upon it. He had appealed to the Chancellor of the Exchequer to tell them what the Government intended to do at this stage. That would only be fair to the hon. Member for Roscommon (the O'Conor Don), who said that he intended to meet the Government Amendments fairly. A very fair offer was made by the hon. Member for Sligo (Mr. King-Harman), one of the Conservative Home Rulers. What would the Government do on that suggestion? Would they take these Amendments up on the Bill and pass it for four years? Had the Chancellor of the Exchequer made up his mind that he would tell the House candidly what he meant to do? Did he mean to throw the supporters of the Bill on their own resources? The principle of the Bill had been debated before. It presented now an "ancient and fish-like smell." They had heard it all. They had heard hon. Members from Ireland calling this a "coercion Bill" trampling on the liberties of their country. When were the liberties of the country threatened, and the Irish Bishops dumb? Why, then, had the Bishops raised their voice in favour of this Bill? It was impossible for honest Irishmen to have patience in listening to the pretences which Her Majesty's Government had advanced upon this question. Let them state candidly and frankly how the test that was to be applied to ascertain the feeling of the Irish people could be made known, and they would undertake to satisfy them. Would they take a majority of Irish Liberals? would they take a majority of Irish Home Rulers? would they take the Clergy of all denominations? or would they take the middle men? Had the day dawned when the liberties of Ireland were to be destroyed by a conspiracy of Catholic priests? That was a story unworthy of the House of Commons to tolerate. They were told that this Bill would promote Sabbatarianism. The hon. Member for Sligo asked them to see how it worked. There were hon. Members in that House, who represented a whole county, that had tried it for 12 years. He could point to his hon. and gallant Friend the Member for Waterford (Major O'Gorman) when he said that; and he could point to his hon. and gallant Friend the Member for Wexford (Mr. O'Clery). He remembered when the late Archbishop of Cashel was able to try this experiment, and when the shebeen bugbear was exploded. For a time he was impressed with the idea that there might be something in the theories that Sunday closing would lead to an increase of drunkenness. But what had been the result in Cashel? Where was the parishioner from the whole of that vast district who was prepared to say that this had been anything but a blessing to his country? Were people of that kind likely to have their liberties trampled under foot? He might point to the feeling in Wexford, and ask whether the people there would submit to have popular freedom "cramped, cabined, and confined?" Not a bit of it! There was no county in Ireland where public feeling was so warm and strong as in the two counties where for 15 years this principle had been tried. It was unworthy of a great Government to shut their eyes to the voice of the Irish people. [An hon. MEMBER: No, no!] Well, the hon. Member was an honest man, and had the courage to tell them he was interested in this. If others would imitate his candour, there would be a little light thrown on the darkness that flooded the House. It was the voice of Ireland that cried for this Bill. If it was said that no change should be made in Ireland until the classes that consumed the drink could be heard, then why did not the Government, when they introduced the Licensing Bill, wait until the drinking classes were heard? When the hours of closing were changed the working classes were not heard. But it was not in the interests of the working classes—it was in the interests of pocket and of till that this agitation was carried on. He had been through Ireland, and had tried to guage the feeling of the people honestly on this point. He had guaged it at public meetings, where a challenge was thrown out to the people to discuss this question, and there never was a voice raised against it until the publicans of Dublin made up a stock purse of £2,000 against this Bill. Now, he would close by again asking the Government what they intended to do about this question? They were led to believe that the Government Amendments were designed to take this question out of the field of agitation in Ireland. He put it to the Representatives of the Trade in that House, was it for the benefit of the liquor trade in Ireland that this question should be settled or not? Would the Government take the Bill in their hands and pass it?

MR. J. LOWTHER said, he did not rise for the purpose of prolonging this discussion. In fact, he had avoided addressing the Committee during that evening, as so many other hon. Members wished to address it; but the hon. and learned Member for Louth (Mr. Sullivan) had made a reference to him in a manner that called for a few words in reply. The hon. and learned Member had stated to the Committee, on authority he did not mention, that on the occasion of a deputation to him (Mr. J. Lowther) soon after his accession to his present office, the deputation was intended, and was supposed by him, to be private, but that certain gentlemen of the Press, who were uninvited and unnoticed in the room, attended and took a report. The hon. and learned Gentleman was, he believed, an ornament of the Fourth Estate of the Realm; and he was bound to say he was surprised to hear him level so serious an aspersion against members of his Profession as to hold out that they would be guilty of an act of gross impropriety. [Mr. Sullivan: I did not say so.] He had understood the hon. and learned Member to say that members of the Press found their way there who were uninvited.

Mr. SULLIVAN: I did not say "found their way." I said I understood the right hon. Gentleman imagined there were no reporters present. I did not say they surreptitiously got in.

Mr. J. LOWTHER said, that came exactly to the same thing. The hon. and learned Gentleman, according to his correction, intended to convey an impression that, unknown to himself (Mr. J. Lowther), these gentlemen found their way into a Government office. That was no contradiction of what he had stated. It was due to the members of the Profession to which he had referred to say that there was not a shadow of foundation for the statement of the hon. and learned Member. He was asked, before the deputation was introduced, whether he had any objection to reporters being present or not? He said certainly he had no objection whatever. What he stated was, in many newspapers, quite accurately reported, and was what he intended to say. It was essentially what the Secretary of State for the Colonies (Sir Michael Hicks-Beach) had said on another occasion. The only difference between his own statement and that of his Predecessor was not in one single word, but only in a letter. As his right hon. Friend the Chancellor of the Exchequer had already pointed out, their statements were substantially the same. His right hon. Friend the Secretary of State for the Colonies was incorrectly understood to promise unlimited time for the consideration of this Bill at the expense of all other Business for which the Government were responsible; and, on the other hand, he had himself said nothing to contradict his right hon. Friend. After that explanation, he hoped the Committee would see that there had been no conflict of opinion on the part of the Government. In accordance with their announcement, the Government had placed on the Paper certain Amendments; in the event of those Amendments being accepted, they would not oppose the further progress of the measure; and, in the event of their being rejected, they would resume their former liberty of action. That was how the matter stood; but they had never at any time pledged themselves to support the Bill in any case whatever.

The O'CONOR DON considered that the Chief Secretary's account of the promise given by his Predecessor in office was of a most inaccurate character. He said that if certain Amendments of the Government were carried, the Government would not offer any further opposition to the progress of the Bill; whereas the words used by the right hon. Gentleman's Predecessor were these—

> "If necessary, the Government will be prepared to aid him (the O'Conor Don) in obtaining greater facilities for this purpose—with the view of securing, so far as we are able—that a settlement of the question shall be arrived at this Session, and shall not be delayed, as was the case last year, from want of time."—[3 *Hansard*, ccxxxvii. 157.]

Mr. SANDFORD, referring to the remark that the Government opposed this Bill on a former occasion with their united strength, pointed out that certain Members of the Government were conspicuous by their absence from the division upon the question; and when certain Members of the Government were absent at a division, it was generally understood that the question was, more or less, an open one. Therefore, he did not agree in calling that opposing the measure.

Mr. O'SULLIVAN, in explanation of his vote, said, he opposed the Bill, because he believed it was a measure directed against the liberties of the humblest classes in Ireland. He disclaimed any personal motive in adopting that course; and, in reply to the implication that he was himself interested in the question, observed that, although it was true that he had a licensed hotel, yet it was equally true that, for the last 20 years, it had not been opened on Sunday, as he preferred giving his *employés* a rest on that day.

Mr. GLADSTONE said, there were some points raised which appeared to require some notice from the Government, even at that hour of the morning. He hoped that the Government would feel that there was, at present, some discrepancy in the statements which were before the Committee, as to their intentions with reference to this Bill. The right hon. Gentleman the Chief Secretary for Ireland had said the declarations made by the Government were in perfect consonance one with the other; but, undoubtedly, the speech which the Committee had just heard from the Chief Secretary for Ireland was not in consonance with the words quoted by his hon. Friend (the O'Conor Don) from some observations made on a former occasion by the right hon. Gentleman's Predecessor in office (Sir Michael Hicks-Beach). The speech just made was, that on condition of the acceptance of the Amendments of the Government, the Government, in the ulterior progress of the Bill, would observe neutrality—whereas the words read by his hon. Friend behind him (the O'Conor Don) were to the effect that, on condition of the acceptance of the Amendments of the Government, the Government would give facilities for the further progress of the Bill, with a view of its being settled during the present Session, instead of its being postponed from year to year, as it had been on former occasions. He was sure that his right hon. Friend the Chancellor of the Exchequer would feel that it was necessary that something should be done to bring these declarations into harmony one with the other; for verbally, at least, they were not consonant as they then stood. With regard to the actual position in which they stood as to this Bill, he could not be surprised that his right hon. Friend the Chancellor of the Exchequer should be desirous to relieve himself from the task of sitting through the night for the purpose of promoting the progress of the measure. That was a most reasonable demand on his right hon. Friend's part. He did not think the promoters of the Bill could expect from the Members of the Government that they should personally devote further time to the discussion of the question upon that occasion; but he looked in a somewhat different light upon the position of the Members of the House in general, who were under the same burden as Members of the Government during the day. He, therefore, asked himself what was it that they could do equitably in the matter? He apprehended that their position was this—that the Government, having kindly appropriated an evening for the purpose of promoting this Bill, the discussion of it was commenced at 5 o'clock; that was to say, about nine hours had been given, and those nine hours had been occupied in Committee with a discussion upon the principle of the Bill. With that discussion it was not for him to find any fault; but the upshot of it was that, at the close of that discussion on the principle of the Bill, a proposal was made to report Progress, without the Committee having made any progress whatever. If that Motion were acceded to, there would, no doubt, be difficulty, viewing the condition of Public Business, in finding another early day for making further progress with the Bill, even if the more liberal promise of the late Chief Secretary for Ireland were preferred to the somewhat churlish measure proposed by the present Chief Secretary; but when the day had been found—at great cost, no doubt—by the Government, what was to secure the promoters of the Bill against the danger that they might not have the same operation repeated on the next occasion of being asked, at a late hour in the evening, to report Progress without having made the smallest advance towards the disposal of the clauses of the Bill? He did not think it was unreasonable that his hon. Friend the Member for Roscommon (the O'Conor Don) should desire that, at any rate, some progress should be made. Although he believed his hon. Friend had an enormous majority, both of numbers, intelligence, and authority, in Ireland in his favour, he did not understand his hon. Friend, by any undue tenacity, to provoke opposition either from the Government or from the House. His hon. Friend, he believed, was willing to accede to the Amendments of the Government—probably, he would be wise in so acceding to them—although his hon. Friend did not give them his personal approval. Then, an important suggestion had been made by an hon. Gentleman opposite (Mr. King-Harman), who certainly had spoken upon this Bill in a spirit of entire impartiality. He did not understand his hon. Friend to pledge himself against that suggestion, which, he believed, was to the effect that, in the first instance, the operation of the Bill should be limited to two or three years—a mode of proceeding which was very often found to be effectual in settling a difficult question. Under these circumstances, though he was not the youngest Member of the House, he begged to assure his hon. Friend the Member for Roscommon (the O'Conor Don) that he, for one, was perfectly willing to sit there for some hours to come, if necessary, for the purpose of securing for his hon. Friend, at any rate, that the Committee should be enabled to make some progress with the Bill; and, while he fully allowed that he did not think such a demand ought to be made on the Members of the Government, on the other hand, he was sure they would feel that he was making this proposal to them, not in a spirit of opposition, but simply to further their own view of the question.

THE CHANCELLOR OF THE EXCHEQUER wished that the position of the Government in this matter should not be misunderstood. It ought to be clearly borne in mind that this measure, introduced two years ago by some unofficial Gentleman, was opposed at the time by the Government. It was quite true, as his hon. Friend (Mr. Sandford) had reminded him, that there were certain Members of the Government who did not vote in the division; but, upon the whole, the Government did not see their way to accept the measure, and they opposed it. Nevertheless, the majority of the House carried it on the second reading. Under these circumstances, the Government had to re-consider their position; and, in considering what was to be done to the Bill, they naturally took into view the question whether it was a Bill which they could themselves introduce on another occasion. They did not see their way to adopt that course, and last Session the Bill was again brought forward; but the Government did not think it necessary to oppose it on its second reading, and the discussion went on. Attempts were made, towards the close of the Session, to give facilities to the promoters of the Bill for having it fairly discussed. Those attempts did not prove successful. In the course of the Recess, his right hon. Friend the Colonial Secretary (Sir Michael Hicks-Beach), then Chief Secretary for Ireland, received several deputations, and paid a great deal of attention to the Bill in Ireland. The result was that, when the Government were considering the measures which they ought to bring forward this Session, his right hon. Friend reported to the Government what was his general view upon the subject. At that time the Government understood that those who were promoting the Bill were not disposed themselves to accept any compromise, but were advocating the Bill in its entirety. Taking the whole matter into consideration, and having regard to the selection of those measures which they could hope to pass, and the order to be assigned to them, the Government did not see their way to undertake this as a Government Bill. Accordingly, they did not bring the measure before Parliament; but knowing, of course, that it would be introduced by those who were friendly to it, the Government were desirous to grant every facility for dealing with the Bill, and to give it candid consideration. He forgot the precise words used by his right hon. Friend; but, in substance, they were to this effect—when they got into Committee they would be prepared to suggest and propose certain Amendments; and if those Amendments should be carried, the Government would be prepared to give facilities for the further proceeding of the Bill. He ventured to say that the Government had fairly redeemed their promise so far. They had more than redeemed it; because they had not waited to see whether the promoters of the Bill were ready to accept the Amendments of the Government. They would have fulfilled their engagement by allowing the Bill to get into Committee as it could, and then proposing their Amendments; but they had supported it, both on the second reading and on the Motion for the Speaker leaving the Chair; they had given up a whole Government night, postponing measures which were, at that time, of great importance to the country, in order that this Bill might be discussed. He thought it was very hard for the Government to be blamed for the course of the debate, which they had not promoted. They had not thought it necessary to enter upon the discussion, which had turned upon the principle of the Bill. They held to that which they had already promised. The Amendments, in the name of the Attorney General for Ireland, were on the Paper, and, on their being reached, they would be proposed to the Committee. If those Amendments were adopted, and inserted in the Bill, the Government, without putting aside all other Business for the sake of this Bill, would be prepared fairly, honestly, and honourably, to redeem their pledge, whenever they were able to do so, and to give facilities to the measure.

Sir JOSEPH M'KENNA disclaimed any interest in opposing the Bill, except that which he took in the welfare of his country. He had not heard any answer to the statistics quoted in the course of the discussion, which furnished a fresh argument against the Bill. The Clergy, who had been got to sign Petitions in its favour, did so, he believed, under a false impression that statistics proved that Sunday had been abused with regard to this question of drinking. If the Bill passed into law, he believed it would show that its promoters were under a great mistake.

The O'CONOR DON found no fault with the Chancellor of the Exchequer for the course he had pursued; on the contrary, he acknowledged the assistance he had given by placing at the disposal of the promoters of the Bill an early day in the Session for its consideration. His only desire was that the opportunity which had been given should not be wasted and thrown away.

Question put.

The Committee *divided*:—Ayes 68; Noes 110: Majority 42.—(Div. List, No. 84.)

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Major O'Gorman.*)

The O'CONOR DON said, it was impossible to assent to the Motion, as they knew the consequences would be disastrous to the Bill.

Mr. J. LOWTHER said, the hour at which they had now arrived made the arguments adduced in favour of suspending the Sitting come with greater force than before. He should like to say a word in answer to the remarks of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone). The right hon. Gentleman proposed that the Members of the Government should go, and leave the rest of the House to dispose of the Bill. Most of his Colleagues had already availed themselves of the right hon. Gentleman's kind suggestion, he was bound to say, and for this reason—that the Amendments for which he was responsible, and which stood on the Paper in the name of his right hon. and learned Friend the Attorney General for Ireland, he distinctly understood the right hon. Gentleman the Member for Greenwich to undertake to move in their absence. Hon. Gentlemen would see it would be impossible for them to move the Amendments of the Government at 2 or 3 o'clock in the morning, and they would have to wait a considerable time before they were reached.

Mr. MURPHY said, that after the discussion that had taken place that night, the promoters of the Bill could have no reason to complain of the position in which it stood as compared with that of the previous one. They had had an exceptional run of luck, and had already got their Bill into Committee. They had made an amount of progress with it during the early period of the Session that was quite unexpected, and placed themselves in a far better position than they could have expected to be in at that time. ["Divide!"] Gentlemen were anxious to divide, and he would not long stand in the way; but he must protest against the idea of the possibility that at that hour any progress should be made with that Bill. And he would give them the reasons why he said so. If the Committee proceeded with the Bill now, the first Amendment that stood on the Paper was an Amendment by the hon. Gentleman the Member for Limerick county (Mr. O'Sullivan). That Amendment raised the whole principle of the Bill. It excepted that portion of the Sunday between the hours of 2 and 7 o'clock in the afternoon, and on the discussion of that question that of total Sunday closing necessarily came in; and for that reason all the facts, and all the arguments necessary to sustain them, must be set before the Committee. For himself, he should not shrink from putting before the Committee the new facts, and the mass of Petitions against the Bill which had come into the House that Session, and which never existed before. He thought the tone of the debate in that House would be better, and more elevated, if personal observations were avoided, and the imputation of personal and sordid motives were not made against those who thought it their duty to oppose the measure. In his view, nothing could be more unfair, or more untrue, than to say that they opposed the Bill because they were interested in the trade. Such an assertion implied that they had no solid ground for doing so, and that though in their hearts they agreed with the principle of the Bill, yet from sordid motives they opposed it. If he were disposed to indulge in similar remarks, he could do so against some of the supporters of the Bill—one of them a personal friend of his own—for one of the principal objects of the Bill was to get men to their work earlier after Sundays. An hon. Friend of his had stated publicly that a manufacturer whom he knew advocated the Bill by reason of the business of his own firm suffering, and its profits being so much less, because the men did not come to their work regularly after Sunday. That had been stated publicly; but he (Mr. Murphy) did not impute sordid motives to him in supporting the Bill on that account. He might say he had no pecuniary interests in the question to the value of one farthing; but, as a Member of that House, he felt almost humiliated in being obliged, as it were, to spurn an imputation which never should have been made. He hoped and trusted those imputations would not be thrown out again, and would support the Motion that the Chairman leave the Chair.

Mr. W. E. FORSTER said, he did not rise to make any remarks respecting the principle of the Bill; but he felt it his duty to take exception to the argument first stated by the hon. Member for Cork. As a master and manufacturer, it surprised him to hear a charge made, or suggested, of sordid motives, against the employers of labour, because they preferred that those whom they employed should not get so drunk on Sunday. He wanted to point out, however, the position they were in at that time of the morning, and that these questions did not affect them. He was not going into the merits of the Bill. It was stated by the hon. and learned Member for Louth (Mr. Sullivan) that its promoters had taken the most constitutional way of ascertaining the wishes of the Irish people in reference to this Bill; and he certainly sympathized with the views of those hon. Gentlemen, and thought it the duty of the House, if they wished to make the Bill acceptable to the Irish people, and if Irish Business was to be conducted by the Imperial Parliament, to facilitate, as much as they could, the objects of the overwhelming majority of the Irish Representatives, giving them a full opportunity of discussing what they thought ought to be discussed, and of showing that the majority of the Irish Members, representing a similar majority in the Irish people, being in favour of the Bill, it ought to be passed. But, if they participated in that feeling, it was the duty of the Government to assist, as much as possible, in providing for that fulness of discussion; and he must say he was surprised at the position the Chief Secretary for Ireland had put them in that night. He understood the Chancellor of the Exchequer to state distinctly that he would offer no obstruction to the further continuance of the discussion; and it was with great surprise, therefore, he saw the right hon. Gentleman the Chief Secretary for Ireland go out with the minority in the last division. They were entitled to ask, therefore, whether the statement made by the Chancellor of the Exchequer, that no obstruction was to be given to the Bill on the part of the Government, was the statement of the Government, or that for the remainder of the Session they were to have the influence of the Government exerted in favour of the opponents of the Bill?

Mr. J. LOWTHER said, he did not think it was from such a quarter as the right hon. Gentleman the Member for Bradford that advice should be tendered to the House on the advantages of uniformity of action. He thought he was in the recollection of the Committee when he called to mind what the Chancellor of the Exchequer said, which was originally, some hours ago, that he thought the time had arrived when the discussion might be adjourned. Some time afterwards, on its appearing that some Gentlemen wished to continue the discussion, he said he would offer no obstruction to their intentions, and he availed himself of some advice that had been tendered to him, and left the House. He did not know, however, whether the right hon. Gentleman had left it altogether. He (Mr. J. Lowther) denied that he had obstructed in any way the discussion of the Bill. He had merely been carrying out the opinion of the Chancellor of the Exchequer, expressed by him some considerable time before, and which he thought most hon. Members must in their hearts really feel to be true. They must feel—they must for a long time have felt—that the time had passed when this discussion could, with profit, be continued. If anything he could say would have weight with the Committee, he would say it was all very well to talk of obstructing the Bill; but it had now been under discussion for a great many hours. A Motion was made which raised the whole principle of the Bill. It was now proposed that the discussion should be adjourned. He thought the adjournment of the discussion of the principal question might well have partaken of the character of obstruction; but they were now asked to enter into a discussion of the principle of the Bill. Well, seeing that there were various Amendments to be considered—on most, or all, of which they must expect discussion—he did not think that either the hon. Member for Roscommon (the O'Conor Don), or the right hon. Member for Greenwich (Mr. Gladstone), could seriously ask them to go on with the Bill now: and he would ask the hon. Member for Roscommon, therefore, whether he would undertake to report Progress before the Government Amendments came up for consideration?

The O'CONOR DON thought he should be justified in acceding to the proposal of the Chief Secretary; and if the other Amendments which preceded those of the Government were got through, and they came to the Government Amendments, he would then undertake to report Progress. He would also state to the right hon. Gentleman that, if he found any difficulty in remaining in the House longer, he should be happy to move his Amendments for him in his absence.

Mr. O'SULLIVAN thought that plan could hardly be carried out. His own Amendment stood first on the Paper, and he might mention that it would take at least five hours to discuss his first Amendment. It would, obviously, be most inconvenient for them to commence such a discussion at such an hour.

Sir JOSEPH M'KENNA observed, that if the opponents of the Bill were allowed no other alternative but proceeding with the Bill at that hour of the morning, they might as well pass a few hours in exercise as in talk.

Mr. J. LOWTHER here intimated his intention, seeing no prospect of an agreement, of adopting the recommendations of the right hon. Gentleman the Member for Greenwich, and retiring, leaving it to the Committee to proceed with the Bill in his absence.

Mr. SULLIVAN thought the Government had not placed itself in a dignified position.

Question put.

The Committee *divided*:—Ayes 45; Noes 102: Majority 57.—(Div. List, No. 85.)

Mr. ONSLOW thought there was an inclination on the part of hon. Gentlemen to go, and only the remarks of some speakers had induced them to stick together so long. What had been the case that night? If the state of the benches opposite were to be taken as an indication, no great interest in the matter could be inferred, for, during a considerable portion of the Sitting, the attendance there had been very slight. Now they saw a sprinkling of hon. Members; but he thought that at that late hour it was perfectly useless to attempt to go on. He did not intend to accept the lead of the right hon. Gentleman (Mr. Gladstone) in the matter, and he hoped he never should. He moved to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Onslow.*)

Sir JOSEPH M'KENNA thought this Motion might now be accepted. If it were not, he would pledge himself to stop there, if necessary, for the next seven or eight hours. He did not think it was fair to treat the Committee in that way, by keeping them up long after they ought to have gone home.

Sir WALTER B. BARTTELOT said, the Speaker had to be examined in a Committee of the House at 12 that day, and he thought hon. Members ought to consider the officers of the House rather than their own views. ["Oh!"] Hon. Members might cry "Oh!" but, in his opinion, it was neither to the honour and dignity of the Committee to stay wrangling there about a Bill of that kind at that hour of the morning. It was clear, that with the determined opposition this Bill had received, it could not, at that hour of the morning, go further. Nobody knew better than the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) that a minority could keep the majority there for hours; and he would ask whether, under these circumstances, it was worth while stopping there any longer?

Mr. GLADSTONE said, he did not intend to take any notice of the remarks of the hon. Member for Guildford (Mr. Onslow); but, as to the appeal of the hon. and gallant Baronet behind him (Sir Walter B. Barttelot), he could only say that it was extremely irksome to be an instrument in any way towards prolonging the labours of the officers of that House; but, at the same time, he did not think the question was between their duty to the officers of the House and their selfish views. He had no selfish views whatever in spending the night in this way. In cases of this kind one side must be wrong, while both sides might be in the wrong; and in such a case the most wise and sensible course was for both to give way, rather than to prolong an unseemly struggle. But this was a very peculiar case with regard to the just claims of Ireland. For several years Ireland, with a preponderance of opinion almost approaching to unanimity such as he had never known before, had asked the passing of this Bill humbly, peaceably, respectfully, at the hands of the House. He must say it appeared to him a case of most extraordinary hardship, and an extraordinary political impropriety, that a handful of the Representatives of Ireland should deliberately set themselves against the voice and judgment of the enormous majority—["No, no!"]—he begged the pardon of the hon. Member—the enormous majority of the Irish Members. The Government formerly fairly and manfully opposed the Bill, and now they had, with perfect justice, changed their course. He thought this opposition was of the most exceptional character. He did not desire to stimulate the courage or the pluck of his hon. Friend the Member for Roscommon (the O'Conor Don); but, certainly, he would not abandon him as long as he thought it his duty to endeavour to procure justice for Ireland, and to give a fair predominance to the expressed views and wishes of the people, as expressed by them constitutionally.

Mr. MACARTNEY said, the Bill had been carried by a very large majority against the opposition of one of the most powerful Governments that country had ever seen, and it had been supported by the votes of the vast majority of Irish Representatives of every grade and of both political views, and it was supported by the almost unanimous votes of the Conservative Irish Members. He did not believe the course that was being followed on the present occasion had ever been followed before. It was a course which seemed to him highly impolitic and unwise; because, if ever there was an argument for Home Rule, this was one. What could he say to his constituents if he had to tell them that a Bill supported by Ulster, Leinster, Connaught, and Munster, and carried on the second reading by an immense majority of the House, had failed to pass? He was surprised at the conduct of the Irish minority; and he was also a little surprised at the conduct of the Government. They gave very little encouragement to their Irish supporters; and if the Bill were not carried it would create the greatest dissatisfaction in Ireland. So far as he was concerned, he was extremely glad to hear that the right hon. Gentleman the Member for Greenwich was ready to fight; and, as long as there was any number of Members anxious and willing to fight this battle, he would fight them.

Sir HENRY SELWIN-IBBETSON said, he was sorry to hear the complaint of the hon. Gentleman, for he thought the Government had fulfilled all their pledges. He looked with great dread on the discussion that seemed threatening, for though he had been for some time a Member of the House, he had never known such discussions result in anything like dignity or satisfaction. He would appeal to hon. Members opposite whether they ought not to be satisfied with the discussion that they had had, and whether they would not consent, in the interests of peaceful discussion, to report Progress?

MR. W. E. FORSTER thought if there was any want of dignity in their proceedings it was very much due to the conduct of the Government. He never before had seen the Representative of the Government, to whose Department the Bill under discussion belonged, walk out of the House in a childish pet. If his hon. Friend went to another division he should certainly support him.

MR. M. BROOKS said, when the noble Lord the Member for the Radnor Burghs (the Marquess of Hartington) was Chief Secretary he assured the Irish licensed victuallers that as long as the Liberal Government was in Office it would not support any measure which tended to lessen the value of their property. The conduct of that Government when in opposition had been very different, as had also been the conduct now of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone). His attitude that evening would greatly weaken the respect and veneration with which the Irish Party had long regarded him.

MR. SULLIVAN said, as soon as it was known that the Government would give but one night for this debate, the Irish Eleven declared that they could easily talk it out. [*Cries of* "Name!"]

SIR JOSEPH M'KENNA said, he was one of the eleven, and asked if the hon. and learned Member was justified in referring to him?

MR. SULLIVAN said, that was not the first time the hon. Member had taken to himself a cap not intended for him, and had declared that it fitted him admirably. As to the remarks of the hon. Member for Tyrone (Mr. Macartney), the greatest credit was due to the Conservative Irishmen, for on this subject they had risen superior to Party, and, by their conduct, had done credit to themselves and honour to their country.

THE O'CONOR DON said, he was appealed to to report Progress. But what progress had they made? He had consented to report Progress as soon as the Government Amendments were reached, understanding that the Government would give their assistance to reach those Amendments; but the instant he said that, the Chief Secretary for Ireland took off his hat and walked out of the House. Hon. Members were teaching a lesson in obstruction which would not soon be forgotten, for they were now practising pure obstruction. He did not wonder that the hon. Members for Meath (Mr. Parnell), Mayo (Mr. O'Connor Power), and Dungarvan (Mr. O'Donnell), were delighted with these proceedings. If the Government, with all the time at its disposal, was justified in sitting through the whole of one night to pass a Bill last year, it was surely not inconsistent with the dignity of the House to do such a thing in the case of a private Member.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) considered it both fair and reasonable to get some idea when these proceedings were likely to come to an end, and when the House would be adjourned. With regard to any control which the Government might have exercised over any of the hon. Members who had taken part in the discussion, he was not aware that the Government could have interfered with a single step that had been taken, and they had not caused discussion upon a single Amendment on the Paper. He failed to see what further control they could have exercised. He thought that the hon. Gentleman in charge of the Bill (the O'Conor Don) might fairly, at that advanced hour—half-past 3 o'clock—ask himself when the Committee should again sit? and he hoped the hon. Member would give some weight to the fact that the officials had been kept engaged for 11 hours in their duties within the House.

MR. W. E. FORSTER commented on the peculiar position in which the Committee had been placed by the Government. After an understanding with the hon. Member (the O'Conor Don) that he would proceed, if possible, to the discussion of certain Amendments of importance, the Chief Secretary for Ireland had left the House, without the slightest concern as to what the Committee might decide with regard to those Amendments, and leaving the Government entirely unrepresented. That was a remarkable position, which he did not remember to have occurred at any time during the long period he had been a Member of the House.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) reminded the right hon. Gentleman (Mr. W. E. Forster) that the position he occupied, as Attorney General, connected him with the Government, so that the right hon. Gentleman could not correctly say that the Government was unrepresented in the Committee.

SIR JOHN LUBBOCK pointed out that very little difference of opinion existed between the various sections of the House; for if hon. Members would only look at the Paper they would see that they were all agreed on one point, when they reached the Amendment in the name of the Attorney General for Ireland, that they should then postpone discussion to a future occasion. The only difference of opinion arose on the preceding Amendments; and he therefore suggested that the hon. Members who had given Notice of them should defer them until the Report, when they would, no doubt, have an opportunity of bringing them under the consideration of the House. Nothing would be lost if that arrangement could be arrived at.

MR. O'REILLY expressed his readiness to support his hon. Friend (the O'Conor Don), on the ground that he was opposed to the policy of simple obstruction—come from whatever quarter it might—a policy which was, in his opinion, destructive of free legislative action. The true course was for the minority to bow to the expressed will of the majority. If discussion was to be proceeded with, it must be by adopting the course suggested by the hon. Gentleman who had spoken last.

MR. O'CONNOR POWER expressed surprise that the hon. Member for Roscommon (the O'Conor Don), who had received such harsh treatment at the hands of the Government, should have dignified the conduct of the Government by comparing it with the patriotic conduct of himself (Mr. O'Connor Power) and the hon. Member for Meath (Mr. Parnell) on a former occasion. Such comparisons were misleading to people out-of-doors.

MR. CLARE READ approved of the suggestion of the hon. Member for Maidstone (Sir John Lubbock.)

MR. PEASE deprecated repeated Motions for Progress, and the Chairman leaving the Chair, as not calculated to promote the dignity of the House. The hon. Member recalled the Committee to the position in which they had been placed by the departure of the Chief Secretary for Ireland from the House, and asked them to consider whether the facilities offered by the Government to his hon. Friend (the O'Conor Don) had been aided by that extraordinary circumstance? If the Committee adjourned, it should be on the understanding that the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) should do his best with the Government to find a suitable day for the next Sitting.

MR. GOLDSMID appealed to the supporters of the Bill to withdraw their Amendment, and allow the Committee to adjourn.

MR. O'CLERY hoped the hon. Member (the O'Conor Don) would not cease in his efforts to carry this clause through that night.

MR. O'SHAUGHNESSY said, the Government had landed the Committee into that difficulty, and the Government ought to get them out of it. The principle of the Bill had been decided on four occasions, and it was now the duty of the Government to bring in a measure of their own.

MR. PARNELL protested against the comparison which had been made between the opposition offered to the Mutiny Bill and to other Government measures, and the opposition offered to this Bill. If, when the Army Mutiny Bill was going through Committee, he had moved that the Chairman leave the Chair the moment the House had got into Committee, and had spoken for two hours and a-half in support of that Motion, and had been succeeded by other hon. Members, each speaking also for two hours and a-half, he would have been handed over by the Chancellor of the Exchequer into the custody of the Serjeant-at-Arms. The Government had behaved almost shabbily. After promising facilities for passing the Bill, which was desired by the majority of the Irish people, they had run away out of the House and left no Representative on the front bench except the Attorney General for Ireland. The only course open to the House was to pass the Bill, and let the Irish people see how they liked it.

MR. MURPHY justified his remarks on the Motion of the Chairman leaving the Chair upon the ground that no discussion on the principle of the Bill had been taken at the second reading.

MR. MELDON said, the question was really one between the Government and the House. Last Session, with the assistance of the Government, the Bill was read a second time and referred to a Select Committee. After that stage, it was given to be understood that if their Amendments were assented to the Government would take up the Bill and pass it that Session. In Committee, however, the view of the Government was not approved, and the Bill was thereupon lost. At the beginning of the present Session the Government pledged themselves that if their Amendments were yielded to they would facilitate the passing of the Bill. Then came the appointment of a new Chief Secretary for Ireland, and from that time dated the cause of complaint against the Government. The new Chief Secretary gave it clearly to be understood that all the Government would promise was to find one day for the consideration of the Bill, and that unless a pledge was given that their Amendments should be accepted, their obligations would be at an end. The House having expressed their opinion that it was desirable the Bill should become law, an appeal ought really to be made by the promoters to the majority, asking them to carry out the decision which was arrived at in the year 1876. It appeared to him that the Government were trifling with the Resolution of the House in a way which was most unjustifiable, so that the matter was really for the decision of the House. Was it to be tolerated that the Government should continue to treat the Resolution of the House with indifference? Ought such treatment to be tamely submitted to? He contended not. The only chance of carrying the Bill lay in the House sternly resolving to give effect to their former declarations. A Bill which had been asked for by Ireland ought not to be dealt with in such a manner; and it was imperative that steps should be taken to raise a distinct issue between the House and the Government. The more dignified plan would be, not to force on a discussion now, but to raise an issue at the earliest possible opportunity, and abide the result.

Question put.

The Committee *divided:*—Ayes 38; Noes 90: Majority 52.—(Div. List, No. 86.)

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Sir Joseph M'Kenna.*)

MR. W. E. FORSTER protested against the comtinued effort of the minority to dictate to the majority, and asked whether the contest had not been carried on long enough? He would readily consent to sit on if any real Progress could be made; but the fact was that the Committee were in the extraordinary position of having no one representing the Government to deal with. The Secretary to the Treasury acknowledged that he was not deputed to watch the Bill, and the Committee knew that the Attorney General for Ireland on this occasion could not speak on the responsibility of the Government. Under those circumstances, he advised his hon. Friends not to push the matter forward; but he thought they had the strongest possible justification for asking the Government to devote another night to the consideration of the Bill. If Irish affairs were to be treated in an Imperial Parliament as matters of importance, the Government ought at once to declare that this agitation should not go over another year. It almost seemed as if the Chief Secretary for Ireland were holding out inducements to the opponents of the Bill to persist in the line of conduct they had adopted; and that, to his mind, was the cause of all the difficulty that had arisen on the present occasion.

THE O'CONOR DON was extremely sorry that he could not assent to the suggestion of the right hon. Gentleman. The only way in which he could succeed in passing the Bill was by pressing it upon the House on every possible occasion, and by yielding in no case unless an offer was made him which it was worth his while to accept. He intended to fight this contest to the bitter end—at all events, so long as the majority were with him. He would put the Bill down every evening, and adopt the same course as he had to-night, until the measure was forced on the attention of the Government in such a manner that they could not ignore it. He owed an apology to the hon. Member for Meath

(Mr. Parnell) for suggesting that the course adopted on this occasion was analogous to the course he had pursued on other occasions, inasmuch as even during the long Sitting last Session some Progress was actually made; whereas now the Committee were not allowed even to approach the first really substantial Amendment on the Paper. He repeated that so long as a majority of the Committee would support him, he would persist in the line of action he had adopted.

Mr. SULLIVAN most heartily thanked the hon. Member for Roscommon for the decision he had announced, as the hon. Gentleman had shown that he was worthy of the noble cause he was leading. He wished that the responsibility of the Government had been confided to the Attorney General for Ireland, as it could not have been in better or more honourable hands. The Government would soon realize that the supporters of the Bill were desperately in earnest. He and those acting with him were determined to save the measure, even if doing so would necessitate their sitting until Christmas.

Mr. CALLAN had been considerably edified by the remarks of the right hon. Member for Bradford (Mr. W. E. Forster), who had spoken as if he thought the Government were not strong. He was glad to be able to say that the Government were strong enough to keep the right hon. Gentleman out in the cold for a very long time to come. Whatever had been the conduct of the Government on the present occasion, it had not been so shifty as was the procedure of the late Government on the question of Education in Ireland. The supporters of this Bill were not so much desperately earnest as desperately deep in their method of forcing the measure on a sleepy House. He had been asked for some new facts bearing on the principle of the Bill, and he would comply with the request by citing a fact in relation to the chief town of the county, which his questioner represented. For the last three years Sunday closing had existed in Tipperary, and yet Baron Dowse, at the recent assizes, declared that Tipperary was one of the worst conducted towns in the whole of Ireland.

Mr. COGAN appealed to hon. Members who had Amendments on the Paper to act in consonance with the repeated verdict of the Committee, if they had any regard for the dignity and honour of Parliament. If they had any respect for their own reputations in the country they would not continue in a course of obstruction which, in his experience, was utterly unprecedented, and calculated to bring the proceedings of the House into contempt. He asked them seriously to consider whether, after the repeated decisions of the Committee, some of the Amendments could not be postponed until the Report; when, he was sure, the fullest opportunities of debate would be afforded. It was humiliating to be constantly dividing on the same questions; but the matter involved such an important principle—resisting the dictation of the tyranny of a minority—that he would support the hon. Member for Roscommon as long as he remained in the House. The House was deeply indebted to those hon. Gentlemen who, at great personal inconvenience, had courageously fought to sustain the great Constitutional principle—that the minority of the House should be governed by the majority in their proceedings.

Mr. O'SULLIVAN said, he had the first Amendment on the Paper, and as it was an important one it would be quite impossible to discuss it at 4 or 5 o'clock in the morning. He would remind the Committee that the 1st of April was past, and he would ask them to collect their senses. Those who opposed the Bill were determined that Amendments of vital importance to Ireland should not be passed without being discussed by the Committee. Notwithstanding all the arguments that had been used, he maintained that this was a bad Bill, and they would do all in their power to defeat it.

Mr. BIGGAR said, he had not yet taken any part in this discussion, and he would not have done so at the present time; but he did object to the arguments the hon. Member for Tipperary (Mr. Gray) laid down, that this was a coercion Bill against the people of Ireland. The real fact was the parties who opposed this Bill were the publicans of Ireland. The most strenuous opponents of the Bill were gentlemen connected with the liquor trade; and some of the Members most prominent in opposing it were Members who represented borough constituencies where, so far as there was any evidence, the people were in favour of this Bill by a large majority. The real fact was, as far as he could understand, that there was no *bonâ fide* expression of the people of Ireland against this Bill, but a large expression in its favour.

MR. T. DICKSON, speaking as a Member from the North of Ireland, maintained that this was not a coercion Bill. It would be impossible to pass the Bill if it was regarded as a coercion Bill by men in the North of Ireland. At a meeting of working men of Belfast, it was stated that there was not a respectable working man who would not vote in favour of Sunday closing. It was a Bill upon which the working classes had made up their mind.

SIR JOSEPH M'KENNA pointed out that there were this Session 220,000 signatures to Petitions against the Bill. It was said the publicans were opposed to the Bill. Well, he supposed the publicans were entitled to be treated fairly. The publicans were opposed to the passing of the Bill unless they were to be compensated for their property, which would be sacrificed in many localities.

MR. MELDON sympathized with the hon. Member for Roscommon (the O'Conor Don), and would make one appeal which he thought he would agree to. He felt deeply when the right hon. Member for Greenwich (Mr. Gladstone) went into the Division Lobby at that hour in the morning (20 minutes to 5), and he thought the time had come when the right hon. Gentleman might allow them to fight it out themselves. He hoped the right hon. Gentleman would see his way to retire and go home.

MR. COURTNEY expressed his sincere respect and admiration for the hon. Member for Roscommon (the O'Conor Don), and declared that, though he did not love the Bill, he would give to it all the support in his power. He should do so, because it dealt with a matter of purely local interest, proposing to apply to Ireland what had for 20 years been the law in Scotland; and, having formerly looked carefully into the evidence, he was constrained to see that in Ireland it met with overwhelming support. As long as that was the case Englishmen, although they might dislike the principle of the Bill, were bound to support the Irish Members. He was also thankful to the hon. Member for Roscommon, because he would force the House to consider an important matter in connection with the conduct of Public Business. After the experience of last Session and this Session, there could be no pretence that new arguments, or any new facts had been adduced; and the truth was, that division after division was taken simply for obstruction. The principle that lay at the root of Parliamentary Government—that the majority must prevail, was thus called into question; and when experience proved how easily a minority could defeat this principle, the House of Commons would be driven, however reluctantly, to revise its Rules, so as to secure to the majority their proper authority.

MR. MURPHY remarked, that if he really thought the people of Ireland heartily wished for this Bill, he should have given it his most hearty support. But it was because he believed they did not want it that he opposed it. Three years ago the opponents of the Bill were taunted with the fact that there was no public expression of opinion in Ireland against the Bill. Last year there were 104,000 signatures, and this year there were 220,000 signatures, by the class whom the Bill would affect. That was an emphatic expression of opinion.

MR. SULLIVAN: Petitions from whom? Bryan Boru—a gentleman a few years deceased. Who else signed the Petition? Aurora Floyd. Who else? Smith O'Brien, who was supposed to have been dead many years. These are the kind of Petitions?

Question put.

The Committee *divided*:—Ayes 32; Noes 85: Majority 53.—(Div. List, No. 87.)

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Maurice Brooks.*)

The Committee *divided*:—Ayes 33; Noes 80: Majority 47.—(Div. List, No. 88.)

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. O'Sullivan.*)

SIR JOSEPH M'KENNA invited hon. Members to consider the futility of these proceedings. An Amendment carried at five minutes past 5 in the morning would not commend itself to the country. The hour for repose had long passed, and he doubted the wisdom of advancing the Bill a stage under such extremely disadvantageous circumstances.

Mr. S. MOORE, who said he had formerly protested against the Bill, was understood to declare his intention no longer to oppose it.

Mr. BRIGGS could not agree with the hon. Member (Sir Joseph M'Kenna) that the time was inopportune for the consideration of this measure. On the contrary, he thought the cool and calm air of the morning was precisely the time for deliberation upon the Bill, and for arriving at a satisfactory conclusion with regard to it. Some very valuable contributions had been made to the debate since the Chief Secretary for Ireland had quitted the House. By that time, the right hon. Gentleman had probably sufficiently refreshed himself, and he suggested that Achilles should no longer be allowed to slumber in his tent; but that a hybrid deputation of Home Rulers, Sunday-closers, Liberals, and Conservatives, should wait upon him, and represent to him the awkward position in which the Committee were placed without the presence of a Representative of the Government. Let the deputation address him in poetry to this effect—

" Like an upland, bare and sere,
In the waning of the year,
When the golden crops are withered off the broom;
Like a picture, when the pride
Of its colouring hath died,
And faded like a phantom into gloom;
Like a ring without a stone,
Like a Court without a throne,
Seems the widowed-House of Commons bereft of THEE!"

Mr. SHAW regarded with disfavour the suggestion that the first three Amendments on the Paper should be deferred until the Report, as that was a time when an important question like this could not be so well considered as in Committee. The better plan would be to discuss them as Amendments to the proposal which stood in the name of the Attorney General for Ireland. The question was a most important one, and ought to be discussed on its merits.

Question put.

The Committee *divided:*—Ayes 28; Noes 82: Majority 54.—(Div. List, No. 89.)

Sir Joseph M'Kenna

[At this period (5.25 A.M.) the Chairman of Ways and Means (Mr. Raikes) retired, his place being occupied by the Under Secretary of State for the Home Department (Sir Henry Selwin-Ibbetson).]

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Callan.*)

The Committee *divided:*—Ayes 32; Noes 75: Majority 43.—(Div. List, No. 90.)

Sir JOSEPH M'KENNA said, no very great harm would be done if a suggestion which had been first made to him to go on with the Bill to a certain point was accepted; because, if they agreed to the clause down to line 15, where the Attorney General's Amendment began, his hon. Friend the Member for Limerick County (Mr. O'Sullivan) could afterwards move his Amendments. In order that this proposition might be discussed, he begged to move that the Chairman do leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Sir Joseph M'Kenna.*)

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, he thought the hon. Members for Limerick (Mr. O'Sullivan), Ennis (Mr. Stacpoole), and Kinsale (Mr. Collins), might very well consider whether they could not accept this, and bring on their Amendments afterwards. At line 15, if this were adopted, there should be some words introduced such as "except in all places," so that no Amendment could be moved previously. This would require that those hon. Members should withdraw their Amendments; but he did not think they would suffer any substantial loss.

Mr. CLARE READ said, three hours ago he suggested that very course. He did hope hon. Members would settle this, so that he might bring on a little Bill of his own.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, if hon. Members would withdraw their Amendments, they would not suffer any loss, while the House would be enabled to settle the discussion and go home.

Mr. O'SULLIVAN said, his two Amendments were the most important;

and he should like to know what concession the other side were prepared to offer before he accepted the suggestion. He begged to move that the Chairman do leave the Chair.

Question put.

The Committee *divided*:—Ayes 26; Noes 81: Majority 55.—(Div. List, No. 91.)

Major O'GORMAN moved to report Progress. He hoped none of his Friends who were opposed to this Bill would make the slightest concession. He begged leave to tell his opponents, moreover, that he was prepared to sit there till next Christmas rather than allow this nefarious Bill, or one clause of it, to pass.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Major O'Gorman.*)

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, he almost hesitated to make any suggestion on the matter after such a declaration; but the course he had sketched out would really involve no practical loss to his Friends at all.

Mr. MURPHY would ask the hon. Member for Limerick County to adopt the course pointed out by the Attorney General; but suggested that the Amendments should come not after the word "except," but after the word "Sunday." It was practically the same thing.

Mr. H. SAMUELSON said, this would leave them practically where they were now.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, his meaning might not have been made quite clear. He merely proposed to add some words after "Sunday" in order that no Amendment should be moved before that.

Mr. ONSLOW hoped they would not be troubled with another division, and that at that hour of the morning they would be able to come to an agreement.

The O'CONOR DON said, he could say nothing until he knew whether the suggestion would be accepted.

Mr. O'SULLIVAN said, as he would have a subsequent opportunity of moving his Amendment, he would now withdraw it.

The O'CONOR DON said, some hours ago he had expressed his readiness to report Progress when the Amendments of the Government were reached, and if the Amendment of the Attorney General for Ireland was put from the Chair he would at once consent to adjourn.

Major O'GORMAN said, he would not withdraw his Motion, and he never would. He would make no concession to these people.

Mr. O'CONNOR POWER appealed to the hon. and gallant Member not to fight everybody in that way.

Question put, and *negatived.*

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) then moved his Amendment, in order, as he stated, to accomplish the object the Committee had in view, and to carry out the arrangement. In page 1, line 15, at end, add—

"In all places except the following (that is to say): within the Metropolitan Police District of Dublin Metropolis, and within the cities of Cork, Limerick, and Waterford, and the town of Belfast, and within the said police district, and within the said cities and town, the said hours or times are hereby extended, and shall be as follows, that is to say, up to the hour of two o'clock in the afternoon, after the hour [of seven o'clock in the evening on Sunday]."

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Sullivan.*)

Motion *agreed to.*

Committee report Progress; to sit again upon *Thursday.*

SUPPLY.—REPORT.

Resolution [29th March] *reported.*

Resolution read a second time.

Mr. PARNELL moved to leave out "£3,777,540," and insert "£3,775,440." The hon. Member said, he did so as a protest against the Vote, which had been previously considered in Committee.

Amendment proposed, to leave out "£3,777,540," in order to insert "£3,775,440," — (*Mr. Parnell,*) — instead thereof.

Question proposed, "That '£3,777,540' stand part of the proposed Resolution."

Sir HENRY SELWIN-IBBETSON said, it was understood that no discussion should be taken at this stage.

Question put.

The House *divided:*—Ayes 41; Noes 10: Majority 31.—(Div. List, No. 92.)

PUBLIC WORKS LOANS BILL.

Resolution [March 29] *reported*, and *agreed to*:—Bill *ordered* to be brought in by Mr. Raikes, Sir Henry Selwin-Ibbetson, and Mr. Sclater-Booth.

Bill *presented*, and read the first time. [Bill 138.]

ADULTERATION OF SEEDS ACT (1869) AMENDMENT BILL.

On Motion of Mr. Clare Read, Bill to amend "The Adulteration of Seeds Act, 1869," *ordered* to be brought in by Mr. Clare Read, Sir William Earle Welby-Gregory, and Mr. Butt.

Bill *presented*, and read the first time. [Bill 139.]

House adjourned at a quarter after Six o'clock in the morning.

HOUSE OF LORDS,

Tuesday, 2nd April, 1878.

MINUTES.]—Public Bills—*First Reading*—Marine Mutiny *.

Committee—Report—Mutiny.

Report—Matrimonial Causes Acts Amendment (34-60); Entail Amendment (Scotland) * (52); Public Baths and Washhouses * (39).

MATRIMONIAL CAUSES ACTS AMENDMENT BILL—(No. 34.)

(*The Lord Sudeley.*)

REPORT OF AMENDMENTS.

Amendments *reported* (according to Order).

Further Amendments made.

Clause 4 (Proviso).

Words *inserted*—

"And that any order for the payment of money, or for the custody of children, may be discharged by the Court or magistrate by whom such order was made, upon proof that the wife has, since the making thereof, been guilty of adultery."

Bill to be read 3^a on *Thursday* next, and to be *printed*, as amended. (No. 60.)

MUTINY BILL.

(*The Viscount Bury.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Lord ELLENBOROUGH took that opportunity of reiterating the expression of the hope that, if the Mutiny Act was to be referred to a Select Committee for revision, it would be a Joint Committee of both Houses of Parliament, which would be by no means unwieldy if confined to those that had held commands. A very satisfactory instance was given last month by a noble Lord (Lord Ribblesdale) of marking with the letter "D" in a case of desertion—not having, as alleged by some, the effect of degrading the soldier thus punished—as the one in question was about to be promoted to the rank of sergeant-major of his regiment; and he (Lord Ellenborough) submitted the same applied to flogging, as evidenced in the notable instance of Sir John Elley, who, after being promoted from the ranks, became a general officer; and who, as a Member of the other branch of the Legislature was, if not a brilliant ornament, at least considered a useful Member of the House of Commons.

Viscount BURY said, he could only repeat what he had said before—that his right hon. Friend the Secretary of State for War was of opinion that a Joint Committee would be too unwieldy.

House in Committee.

Bill *reported*, without Amendment; and to be read 3^a on *Thursday* next.

OPENING OF NATIONAL MUSEUMS AND GALLERIES ON SUNDAYS.

QUESTION. OBSERVATIONS.

Lord THURLOW rose to call the attention of Her Majesty's Government to the Petition of a Meeting held in London, praying for the opening of Museums and Picture Galleries on Sundays, which was read and ordered to lie on the Table of the House on the 21st of March; and inquired, Whether Her Majesty's Government were prepared to take this subject into their early and favourable consideration, and, if not, whether they would state the objections which, in their opinion, existed to opening those places on Sundays—as the only day of the week that the working classes of the population of London had practically at their disposal for visiting them? The noble Lord said: My Lords, I rise with great diffidence to ask Her Majesty's Government the Question that stands in my name; for, although I feel confident that the subject is one that will command a large measure of sympathy from many Members of your Lordships' House, yet, when I consider its great interest and importance, I cannot but regret that it should not have found a more able advocate and exponent than myself. In the first place, I desire to state that I approach this subject in no feeling of hostility towards Her Majesty's Government; but that, on the contrary, the sole motive by which I am actuated is the hope of obtaining some such expressions of opinion as may, if it were possible, strengthen the hands of Her Majesty's Government, and encourage them to deal promptly and boldly with what I feel to be a subject of great and growing importance. The first portion of my Question—

> "Whether Her Majesty's Government may feel themselves enabled to grant the prayer of the Petition to which I have ventured to call your Lordships' attention, and throw open the Museums and Picture Galleries of London for some hours on Sunday afternoons,"

is a perfectly simple one, and calls for little comment or remark. It is a Question that, I think, must recommend itself, at any rate, to the favourable consideration of all thinking men, and I heartily trust that Her Majesty's Government may find themselves enabled to grant me an affirmative reply. But, my Lords, if this is not so, and if it should appear that I have been too sanguine in entertaining this expectation, then, in that case, and to meet such an eventuality, I would ask your Lordships' permission to examine briefly a few of the difficulties and objections which appear to me susceptible of being raised against this proposal; because I think these difficulties and objections will be found upon examination to be more imaginary than real, and to vanish at our approach. It may, for example, be broadly alleged that there is something un-English, if not positively un-Christianlike, in this proposal; but, my Lords, to this allegation, I would reply that a great change has come over the public opinion of this country during the last 20 or 30 years, and that, to my ears, there is an antiquated ring about it. We have it on the high authority of the noble Earl at the head of the Government, that 25 years, or a quarter of a century, is a portentous period of time, leaving many changes in its wake; and I venture to think, my Lords, that among others, this is one change that it has brought about, and that a proposal of this kind, though it may once with some propriety perhaps have been called un-English, can no longer with correctness be so termed. And I am fortified in this belief by the fact that, during a tolerably long residence abroad, I have always observed how greedily all classes of my countrymen avail themselves of every opportunity of visiting such places whenever such opportunities are afforded to them; and, in regard to the un-Christianlike nature of the proposal, I venture to think, and I trust the right rev. Bench will agree with me, that the Christianity of this country rests upon a broader and a surer foundation than the opening or shutting up of a few Museums and Picture Galleries on Sunday afternoons. For my own part, I see nothing un-Christianlike in endeavouring to increase the happiness and contentment of the working classes, even on a Sunday; and I further hold that, in exact proportion as we may succeed in increasing their happiness and contentment, we shall also promote their moral elevation. Again, my Lords, it has been whispered that the working classes of this country are, perhaps, less appreciative of works of Art and of collections of this kind—possibly less intelligent, or less orderly in their behaviour, than the corresponding classes of society abroad. To such whisperings I, my Lords, must lend a deaf ear. The history of this country, if it proves anything at all, proves, I think, and proves abundantly, all classes of society in this country to have been always animated by a deep love and admiration of public order; and, as to there existing any inferiority of intelligence, I think the industrial prosperity of this country sufficiently answers the question; while, lastly, as to their alleged incapacity for appreciating Art collections, I would submit that their capacity in this respect has not yet been tested. But admitting, for the sake of argument, such inferiority to exist, could it, I ask, be cause for surprise, when we consider how all places of instruction, except churches and the like, and all places of in-door recreation, except public-houses and the like, have been always systematically and hermetically sealed to the working classes of this country on the only day in the week practically at their disposal for visiting them? Then, there really remain, my Lords, so far as I know, only the purely technical and mechanical difficulties—if I may so call them—and I venture to think that these, also, are equally easy of removal, or of being overcome. It may, I think, be not unreasonable to expect that a proposed innovation of this kind may meet with more or less opposition from the custodians and guardians of these Repositories of Art and Learning; and I think it also not unreasonable to assume that more or less of this opposition may be prompted by a regard for their own convenience—and I am bound to say I think their convenience ought certainly to receive careful consideration. I also think this may easily be effected by slightly adding to their numbers, at a small cost, and to such an extent, as may prevent their being deprived of the number of hours of leisure and of the holidays to which they have been accustomed; but, when their convenience shall have been consulted in this manner, I must say that I know of no reason why we should not call upon them for their share of Sunday labour. All other classes and persons are called upon to perform more or less Sunday work, and I know of no valid reason why these custodians and guardians should alone be exempt. Park-keepers, the Police, the Fire Brigade, soldiers, sailors, and nearly all classes of domestic servants, work more or less on Sundays. I can, from personal experience, state that the Diplomatic Service works on Sundays, and that the Government of India works on Sundays; and I would ask Her Majesty's Government, if they themselves do not work on Sundays—and work cheerfully on Sundays—whenever the public interests call for such a sacrifice at their hands? Then, my Lords, I fail to see that this or any of the other difficulties or objections to which I have referred, or, indeed, any others that I can imagine, can claim to be regarded as insurmountable, when the paramount importance is considered of providing an alternative to the public-house on the many cold, and wet, and dreary Sunday afternoons, that we in London are so well accustomed to. I say on the many cold, and wet, and dreary Sunday afternoons, for with fine weather I have nothing to do—on fine weather Sundays the people have the Public Parks and Gardens, and nothing further is required. Before concluding, I desire to observe that, in dealing with this question, I strictly limit my proposal to the opening of the places mentioned in the Petition before the House. I am no advocate for the introduction into England of what is known as the Continental Sunday. I only advocate the opening of places like the British Museum, the National Gallery, the South Kensington Museum, and possibly some few other places all more or less under Government or municipal supervision and control, and I by no means advocate the opening of theatres, music halls, and what I will call places of speculative entertainment. I think there is a broad distinction between the two, and I think it is one that the people of this country are fully capable of appreciating. There is but one more point on which I desire to insist. It may be denied that Sunday is the only day at the command of the working classes for visiting such places. I maintain that it is so; for, in my opinion, when, after a week's toil and confinement within the four walls of his factory or workshop, the working man becomes free, say at noon on Saturdays, out-of-doors recreation is what he stands most in need of. I also hold that Saturday afternoon is his regular and legitimate time for the transaction of any business of his own, for shopping and the out-of-doors requirements of his family—unless, indeed, it is desired to encourage the system of Sunday shopping, which already exists to so great an extent, and is so great a disgrace to many of the poorest districts of the Metropolis. And, my Lords, it must not be forgotten that there remains one widely-recognized claim on the artizan's Saturday afternoon, and it is assuredly not one to discourage at the present moment by any unnecessary competition—I allude to Volunteering. I will not now detain your Lordships any longer. I am well aware that I have not exhausted one-half of the arguments that may be adduced in favour of this proposal. I have purposely refrained from dwelling on the past history of the question, which was one that I desired to approach impartially and solely on its own merits—on these merits I will now leave it in your Lordships' hands, confident of sympathy and support; and, although I will not on this occasion follow the custom of your Lordships' House, and apologize for having taken up so large a measure of your Lordships' time, as I feel confident your Lordships will always find the time, and give it ungrudgingly and without stint to the consideration of all questions, like the present, having for their object the promotion of the welfare, and the increase of the happiness and contentment, of the working classes; yet, before I sit down, I trust I may be permitted to express my appreciation of the courtesy which your Lordships have extended towards me, and my gratitude for the patience and indulgence with which your Lordships have listened to these imperfect observations.

THE LORD CHANCELLOR said, that when it was contended that public feeling on this subject had very much changed during the last 25 years, he must say that the document to which the noble Lord had referred as the basis of his appeal to the Government afforded a very slender foundation. The Petition in question was signed by one name—True — that the name of the person signing was said to be that of the chairman of a public meeting; but, regarded from a Parliamentary point of view, the Petition was one signed by a single petitioner, and their Lordships could only take cognizance of it as such. Therefore, he must say that the proof of public opinion referred to by the noble Lord was one of the most slender description. As to the alleged change of public opinion on the subject within the last 25 years, they must look at what had taken place in the other House of Parliament during that period, for he believed that until that evening there had not been any discussion of the matter in that House; but, certainly, there had been several in the other House of Parliament. He would go back to 1856, when, as he remembered perfectly well, a Motion on the subject was made in the House of Commons. In favour of that Motion, which went somewhat in the same direction as the proposition presented by the noble Lord, there were on that occasion 48 votes, and against it there were 376. By a very decided majority, therefore, that Motion was rejected. The next time the question was revived in the House of Commons was in 1869. On that occasion the proposal created so little interest in the House of Commons that the House was counted out, and no conclusion was arrived at. The proposition was renewed in 1874; on which occasion the Resolution for opening Museums, Libraries, &c., on Sundays was supported by 68 votes, and negatived by 271—an Amendment being carried to the effect that—

> "it was undesirable any change should be made in the existing arrangements for closing them on Sundays."

Last year, when the proposal again came before the House of Commons, it had 87 votes in its favour, and 229 against it. He thought, therefore, as far as numbers were concerned, it could scarcely be said that there had been a marked change in public opinion during the last 25 years. What was more remarkable was this—that when the Report of the Debates on the subject in the other House were looked to, it would be found that the most powerful speeches made against the proposal were those delivered by the Representatives of large constituencies of the working classes, such as the Members for Southwark, Leicester, and Newcastle-on-Tyne. Further, the signatures to the Petitions against the proposal bore no proportion to those in favour of it—the signatures against the Motion numbering 130,000, while those on the other side were only something like 5,000; therefore, if the Government adopted the course which the noble Lord suggested, they would not be acting in support of the public feeling of the country, but directly against it. He must say that he was not surprised at the feeling of the working classes of this country on this subject, because those classes—especially in London—must feel that there was not a capital in the world in which Sunday was so completely the property of the working classes—so completely a day of rest—as it was in this Metropolis. Naturally, therefore, they were extremely jealous of anything which would tamper with the property they possessed in the Sunday, or might in any way lead to their being deprived of it. They very well knew that if the example were once set of opening the public institutions on Sunday, we could not stop there. We could not stop short and say that public institutions were for public improvement and private ones were not. In fact, the working classes knew that, if we once entered upon a course of that kind, there would be no stop until we reached the state of things now existing in foreign capitals, where the employed had absolutely no protection in the observance of the Sabbath. There was the authority of Mr. Smiles for saying that places of public improvement on the Continent were not extensively visited by the working classes on Sundays. But he thought the proposal ought to be resisted on higher grounds. Nothing could be more injurious to the intellectual, the moral, and the physical welfare of the country, than that anything should be done by the State which would lend countenance to the idea that they were anxious to get rid of the sanctity of the Sabbath as now enjoyed; therefore, speaking on behalf of the Government, he could not hold out any hope that the decision of successive Ministers on the subject would be reversed.

THE EARL OF MORLEY expressed sympathy with the noble Lord who had introduced the subject to the notice of the House, and regretted the answer which the noble and learned Lord on the Woolsack had given to the Question put to the Government. He (the Earl of Morley) attached as much value as the noble and learned Lord, or any noble Peer, to the institution of Sunday as observed in this country, as a break in the monotonous round of work, and also of the ordinary and less serious kinds of amusements, which, to a great extent, characterized what was called the Continental Sunday. At the same time, he was strongly in favour of opening the National Museums and Galleries on Sunday. The noble and learned Lord had referred to the manifestations of public opinion on the subject, and he (the Earl of Morley) must at once admit that there was a considerable division of opinion among the poorer classes. And he could not deny that the House of Commons had decided more than once against the measure. However, that was no reason why the question should not be discussed by their Lordships. The noble and learned Lord had given an historical sketch of the appearances of this Motion in the House of Commons. He (the Earl of Morley) would also refer to a document of 1854. In that year, Mr. C. Villiers' Committee on the Public House System reported, and in that Report, devoted several paragraphs to the question now before the House. He would beg leave to read one paragraph which was agreed to unanimously by the Committee, in which sat a noble Lord (Lord Hampton) opposite—

> "The National Gallery, the British and Geological Museums, and other places of public instruction are paid for by the nation; and it does not seem reasonable to your Committee that these places should be closed upon the only day that it is possible for the majority of the population to visit them without serious loss."

He (the Earl of Morley) would remind the House that this was a poor man's question. The rich man had ample leisure for amusement and instruction on every day of the week, and, besides this, he could, as a fellow or shareholder, obtain admittances to the Zoological Gardens or the Crystal Palace on Sunday. The poor man was debarred from these opportunities by the necessities of labour for six days, and on the seventh the National Museums and Galleries, which he helped to pay for, were shut against him. Could it be maintained for an instant that it could deteriorate the value of Sunday, or would impair the moral and religious tone of the population, if they had opportunities of studying objects of the highest scientific or artistic beauty and interest. On the contrary, he believed that it was a valuable element of education, and would afford pleasure to thousands whose comfortless homes drove them to take refuge at the public-houses. Besides this, they had experience, and not mere theory, to guide them. Kew Gardens and Hampton Court Galleries had now been open on Sunday for 20 years, with the best possible effect—thousands visited those places every Sunday. In Dublin, the Zoological Gardens and Botanical Gardens had also for many years been opened on Sundays, and there was a very general opinion that much good had been done by that. He (the Earl of Morley) drew a distinction between National and private institutions, and he understood that the Memorial, to which the noble Lord who introduced the subject referred, confined itself to the first; because the National Museums and Galleries could only afford serious instruction and amusement, whereas there was no security whatever that private institutions would always confine themselves within the limits which they at present imposed on themselves; and, moreover, once admit such institutions, it was difficult to draw a line, and many institutions might claim to be admitted within the line, which he, for one, should not wish to admit, whereas the National Museums and Galleries were alone, and occupied an entirely different position, and the argument that this was the thin end of the wedge was inapplicable. The only argument against the change was the employment of servants and guardians; but arrangements could be made, he believed, at a slightly increased cost, to meet this objection, by giving a portion of the attendants present on Sundays a holiday on some other day. Then, it must be remembered, that the attendants were a small number compared with the probable number of visitors. He (the Earl of Morley) admitted that the question was one which affected the conscience of many persons, who had quite as good a right to their opinions as he had, and therefore he strongly deprecated any intemperate agitation on the subject; but he personally held a very strong opinion—that the change advocated, far from detracting from the value of Sunday, would greatly add to it, and would afford to the poorer classes of the community opportunities of useful recreation and instruction which were at present rarely open to them.

The Bishop of LONDON said, he entirely sympathized with the noble Lord who had brought forward the question; because he was convinced that the object which the noble Lord had in view was the improvement and well-being of the working classes. He could not, however, but feel convinced that his proposal, if adopted, would not only not tend to such well-being, but would operate in the very opposite direction. The natural consequence of the proposal would be to bring about the Continental Sunday in this country, with its uninterrupted work for the artizan. The Public Gardens were open very properly on Sunday not requiring the work of additional persons. ["No, no!"] The Park-keepers and others must be there on Sunday, at any rate. The proposal put the question of Sunday observance on a new basis. Hitherto our legislation had been based on one or other of two principles—either on the principle that it was right, as by Divine appointment, to have one day of rest out of seven, or on the principle that it was the duty of the Legislature to make provision whereby all persons, irrespective of their religion, might have an opportunity of devoting one day to their religious duties, free from the occupations of the other days of the week. And others who allowed little weight to this consideration, maintained that one day's rest in seven was necessary for the health and well-being of the population. In the main, exception to the observance of the Sabbath has been allowed only on the grounds sanctioned in Scripture—necessity or charity — though, in the case of public-houses, there was an exception to that rule. But now, for the first time, the question was made one not of duty but entirely of expediency. It was proposed to open on Sundays, for the purposes of recreation, places which could not be opened on that day without the presence of many attendants and the employment of considerable labour. The term "innocent recreation and instruction of the people" was used by those who advocated the proposal. But could that term be limited to Museums and Picture Galleries? There were a great number of other places beside these that provided admirably for the recreation and instruction of the public. Would not the Polytechnic and Concerts of Sacred Music be brought within it? It was said that there was a distinction between institutions from which no profit was derived and those which were opened for profit; but did anyone suppose that individuals could long be kept from doing what the State set the example of doing? Once open public institutions on Sundays, and from these the opening would get to concerts, from concerts to theatres, and from theatres to music-halls. Then, if they opened public places of recreation and amusement belonging to the country, private traders, contractors, and shopkeepers would ask—"Why may I not employ my men on Sundays, when persons are employed in music-halls and theatres for profit on Sundays?" Over 20 years ago, when that subject was agitated, he had a large parish under his charge. There were 18,000 of the working classes in it, and they were, for the most part, strongly against it. They felt that if once a beginning were made in the direction of Sunday labour, the thing would go on, and they in large numbers signed a Petition against the opening of the Crystal Palace on Sundays. There was a class for whom the proposal for opening the Museums and Picture Galleries on Sundays was especially desired — the young men who were employed in shops and offices on the other days of the week and had no homes on Sundays. But the question was whether, to meet the requirements of a comparatively small class, the members of which soon changed to other positions, we should be justified in adopting a measure which, within a quarter of a century, would deprive England of the great blessing of the Lord's Day, and introduce the Continental Sunday.

THE DUKE OF WESTMINSTER: My Lords, this is a question which cannot be altogether dissociated from that of temperance, affecting, as it does, so vitally the welfare of the people of this country. The Committee on Public Houses, of 1854, went very carefully into, and reported at length in favour of, opening Public Museums, Art Galleries, and so forth, on Sundays, suggesting, also, a method of meeting the difficulty of labour by a system of relief. They also recommended the repeal of the provision of the Act of George II., which enforces the closing of all places on Sundays where money is taken for admission. I quite admit that circumstances have altered within the last 20 years, owing to the establishment of the Saturday half-holiday and to the increased amount of leisure that the working classes have on other days of the week, when they have more frequent opportunities of visiting these places. I do not believe that this is so much a poor man's question as that of the higher class of artizans, and of the middle classes. We know that drunkenness is descending into the lowest classes of society. These are not the classes who frequent, or who would frequent, at all events, to any great extent, these places; and, therefore, I believe that the temperance question is not so intimately connected as it was 20 years ago, with the opening of Museums on Sundays. But I do believe that there are many thousands in this country who would derive both profit and pleasure from such opening, and whose culture and taste would be improved thereby. The Lord Chancellor observed that if the British Museum and the National Gallery were opened, there would be no stop there. There would be a demand for opening the Zoological Gardens and the Crystal Palace. This is exactly what we want to effect. I cannot conceive anything more desirable than to open, as has been done in Dublin, the Zoological Gardens on Sundays to the thousands of the poorer classes who would flock there; the Crystal Palace, too, which has been described as "the most temperate public-house in the world," would only afford innocent gratification to thousands. If the more central institutions could be opened within reach by a walk of the mass of the population of London, Sunday travelling, such as that is to Kew and other outside places, would, perhaps, be even diminished, and not increased.

LORD TRURO said, he had resided many years in Paris and other Continental cities, and the result of his experience in visiting the Galleries there, both on week-days and on Sundays, was that a vast number of the working classes attended them on the Sunday. The question was, whether it was not expedient to open places of rational amusement on Sundays. He thought it was in the interest of morality that the working classes should be allowed opportunities of rational amusement without the excitement of dramatic entertainments. They would thus be withdrawn from public-houses, and such amusements as dog-fights and cock-fights, which still went on in some low neighbourhoods. He believed that, if properly encouraged, the working classes would prefer rational amusement to drink.

THE EARL OF DUNRAVEN said, he was glad that this question had been raised, and only regretted that it had not been brought before their Lordships in some more definite shape, in order that the country might have the benefit of a fuller expression of the opinion of the House upon it. It seemed to him an important matter that some measure for opening such places as Museums and Art Galleries on Sundays should be passed; because it would extend to the mass of the people, especially of the poorer class, the great benefits and blessings enjoyed by the rich only, at present. By the study of Art, the mind was distracted from the cares and worries of life. The advantages which had been experienced by the rich in this respect would prove much greater in the case of the poor. From a mere utilitarian point of view the extension of such means of education would be of much value. It would give many artizans and draftsmen an opportunity of studying the best specimens of their peculiar branches of trade. This would enable them to improve their own position in the world, and to improve the general character of the productions of this country; for in our power of excelling in the conception and execution of Art lay our only chance of competing with foreign nations. As a means of education such a measure would be most important. When they thought of the great mass of our fellow-creatures who were shut up in the blind alleys and courts of this gigantic city, and reflected that they had no opportunity of counteracting the demoralizing effect of their surroundings by taking advantage of the elevating and humanizing influences of Nature, they should not prevent their enjoying what was next best—the reflection of Nature in Art. Although the Saturday half-holiday had come into fashion, Sunday was really the only day on which the mass of the people had leisure enough to devote to these objects. The chief objection appeared to him to be in the danger that, if they opened Museums and Art Galleries on Sunday, the opening of theatres and music-halls would follow. And there was also a religious objection, into which he did not feel himself competent at present to enter; but, if the objection was so strong as was alleged, he wondered that the Episcopal Bench had not more occupants than the single right rev. Prelate whom he saw present. As to the objection about opening the music-halls, he thought that abilities much inferior to those of the Lord Chancellor would be quite sufficient to frame a measure that would clearly distinguish between those Galleries and such places as theatres and music-halls. He could speak of one public exhibition that was open on Sunday—the Brighton Aquarium—and he had not heard that any injury had resulted either to the inhabitants of the tank or of the town. He hoped, on some future occasion, an opportunity would be given for a further expression of opinion on the subject.

THE DUKE OF SOMERSET said, he was quite aware of the deputations from the working classes which had been received urging the opening of the British Museum on Sundays. No doubt, the officers of the British Museum were paid by public money; but, as one of the Trustees, he might state that it was really a place for study, and if the reading-room were opened on Sunday, the result would be that the servants of the institution would be kept hard at work all the year round. Where it was merely the case of a Gallery to be walked through, its opening would be easy. He had the great pleasure of opening the Gardens at Kew, and he believed the result to be very satisfactory to the public. People walked about, and there was no difficulty in the matter. But it was by no means so easy to open the British Museum, because, if they did, they must keep the same persons there working throughout the week. If, therefore, anything was to be done, he hoped there would be some inquiry beforehand whether a line might not be drawn between such things as a Picture Gallery and the British Museum.

EARL GRANVILLE said, that when he was at the Privy Council, he very frequently received deputations on this subject; and, though he had not felt justified in making the change, he was bound to say that he sympathized with the noble Lord, and, as far as the principle was concerned, he went with him. With respect to a remark made by the noble and learned Lord on the Woolsack, as far as his recollection went, he could not say that the great majority of the working-men were against the opening of Picture Galleries and Museums on the Sunday; he believed the supporters and opponents of the Sunday opening of places of amusement were pretty equally divided. Those who were opposed to the proposal were, he thought, wrongly influenced by the fear that if these places were opened the hours of labour during the week might be extended. As to the remarks of the noble Duke (the Duke of Somerset), with respect to the British Museum, it would not be necessary, in his opinion, to open all parts of the Museum, and thus but a small number of persons need be employed. He did not think there was much logical force in the argument of the right rev. Prelate as to the consequences which would result from the opening of such places on the Sunday—he did not believe that it would be the first step to the introduction of the Continental Sunday into this country. The noble Duke near him (the Duke of Somerset) had spoken of Kew Gardens. Hampton Court might also be mentioned; and the noble Duke (the Duke of Westminster) had given his own experience of the opening of the Gallery of Grosvenor House, and had said that they had shown by their demeanour how much they had appreciated it. He might also mention that when another noble Duke (the Duke of Devonshire) had thrown Chatsworth open, the order and sobriety of those who visited it were very remarkable. For some reason the gardens were shut for a time; the same people came, but spread themselves over the public-houses, and scenes of drunkenness and disorder occurred. The gardens were again opened, with the same good results. With proper regulations, great advantages might result to the public without throwing much labour on the officials. He did not blame the Government for not yielding in this case; because he remembered that on the discussion of the subject, by the late Government and previous Cabinets, they came to the conclusion that the feeling of the public was not sufficiently strong to justify them in bringing such a measure forward.

House adjourned at a quarter before
Seven o'clock to Thursday next,
Eleven o'clock.

HOUSE OF COMMONS,

Tuesday, 2nd April 1878.

MINUTES.]—Select Committee—Public Accounts, Lord Eslington *discharged*, Sir Henry Holland and Sir Henry Selwin-Ibbetson *added;* Parliamentary and Municipal Elections (Hours of Polling), *nominated.*

Public Bills — *Ordered* — Borough Franchise (Ireland) *; Local Courts of Bankruptcy (Ireland) *.

Ordered—First Reading—Monuments (Metropolis) (No. 2) * [140].

Second Reading — Irish Church Act (1869) Amendment [116], [House counted out].

Select Committee—Ecclesiastical Buildings (Fire Insurance) * [99], *nominated.*

Withdrawn—Monuments (Metropolis) * [133].

QUESTIONS.

SIERRA LEONE.—QUESTION.

Mr. ERRINGTON asked the Secretary of State for the Colonies, Whether a Treaty signed on 2nd of May last between the Administrator of Sierra Leone and certain native chiefs for the cession to us of territory and sea-board considered of great importance by the Colonists, extending north of Sierra Leone to the Islands of Los, and including the Mellieouri River, has received the sanction of Her Majesty's Government; if not, whether he recognises the rival claims to a portion of this territory put forward by the French Government of Senegal in a Proclamation dated 8th May 1877?

Sir MICHAEL HICKS-BEACH: Sir, the Treaty of May 2, 1877, is wrongly described in the Question of the hon. Member. It refers only to the south bank of the River Mellieouri, and to a small extent of sea-coast to the south of that river—a very small portion of the whole seaboard between the Isles de Los and Sierra Leone. It has not as yet been sanctioned, as the whole question of these Treaties is still under the consideration of the Foreign Office. I understand that a representation on the subject is about to be made to the French Government, pending the result of which I do not think it would be advisable for me to express any opinion on the claims referred to in the latter part of the Question.

THE CESSION OF BESSARABIAN MOLDAVIA.—QUESTION.

Mr. EVELYN ASHLEY asked the Under Secretary of State for Foreign Affairs, with reference to the Correspondence respecting Turkey, No. 24 (1878) Despatch 18, Whether Her Majesty's

Government is able to lay before the House, on any more official or definite authority than the statement of an unnamed person at Vienna, so grave an announcement

> "that Prince Gortchakow has declared in distinct terms to a Roumanian agent at St. Petersburg, that he would not allow the article of the Treaty relating to the cession of Bessarabian Moldavia to be discussed by the Congress?"

Mr. BOURKE: A telegram has been sent to Sir Henry Elliot to-day with the view of ascertaining whether the name of the authority alluded to by the hon. Gentleman can be given without detriment to the public service.

MILITIA VOLUNTEERS FOR SERVICE.

QUESTION.

Mr. H. SAMUELSON asked the Secretary of State for War, Whether it is true, as reported, that certain commanding officers of Militia have, with or without the concurrence of their officers and men, offered, in case of war, to place the services of their regiments at Her Majesty's disposal for garrison duty abroad in the event of the despatch from this Country of an expeditionary force, and of the consequent embodiment of the whole or a portion of the Militia; whether, in that event, such regiments would be employed in preference to others, or whether the privilege would be accorded to those Militia battalions whose linked line battalions had gone to the front of replacing those line battalions in garrison; and, whether it is competent to a commanding officer of Militia to offer to place the services of his regiment at the disposal of Her Majesty for foreign service when that regiment has not been assembled?

Colonel LOYD LINDSAY: Sir, in answer to the first part of the hon. Member's Question, I have to state that certain officers have so offered, and have requested that their regiments might be noted for embodiment and for service abroad in the event of embodiment being determined upon and of their services being required. With respect to the second part of the Question, in the event of the two Line regiments being sent abroad, the Militia regiment which forms part of the brigade which is attached to those regiments would necessarily remain at home as a feeder to those two battalions. I can only say that, of course, the commanding officer speaks for himself, and, as the hon. Member observes, if the regiment is not embodied, he cannot have consulted his men, and he can only give what he believes to be the real feeling of his regiment; but, of course, he cannot bind them.

Mr. H. SAMUELSON: Sir, may I put a further Question to the hon. and gallant Gentleman—Whether, in case of the linked battalion being abroad, and it being decided to send any Militia regiments out of the country, preference would be given to those whose commanding officers offer to be so sent?

Colonel LOYD LINDSAY: Sir, I cannot undertake to give a complete answer without consultation; but, of course, the selection of Militia regiments would be made in a way that would be most advantageous to the Service, and not merely because the commanding officers had offered to go abroad.

Mr. PARNELL: Sir, with reference to the question of the sending of Militia regiments on foreign service, may I ask —Whether there is any special method provided in the Act for the purpose of enabling the commanding officer to ascertain the wish of the regiment as to its being sent abroad; and, if not, whether the hon. and gallant Gentleman will consider the desirability of introducing an amending Act providing some special method?

Colonel LOYD LINDSAY: Sir, I may point out that the Militia regulations require that before any Militiamen are ordered abroad they themselves should be called upon to say whether they are willing to serve.

BENGAL MEDICAL REGULATIONS.

QUESTION.

Mr. O'DONNELL asked the Secretary of State for War, Whether it is not laid down in the Bengal Medical Regulations that the Secretary to the Surgeon General must be "selected from among the Executive Medical Officers serving in India;" whether a medical officer from the office of the Director General in London has not been recently appointed to the valuable post of Secretary to the Surgeon General in India; and, whether Government will explain the reasons for passing over the claims of the Executive Medical Officers serving in India for selection to an Indian medical appointment conveying a salary of some £1,700 a-year?

Colonel LOYD LINDSAY, in reply, said, that the regulations quoted by the hon. Gentleman had been complied with. The official referred to had been properly selected by the local Indian authorities in whose hands the appointment rested.

THE BOMBAY TOWN HALL.

QUESTIONS.

Mr. O'DONNELL asked the Under Secretary of State for India, Whether it is true that Sir Richard Temple, the Lieutenant Governor of Bombay, refused the use of the Bombay Town Hall for a public meeting called to petition Parliament with respect to the financial proposals of the Government; whether Sir Richard Temple, while Lieutenant Governor of Bengal, did not similarly refuse the use of the Calcutta Town Hall for a meeting called to petition Parliament on the subject of Municipal Government Reform; and, whether the Government authorises his conduct in this respect?

Lord GEORGE HAMILTON, in reply, said, the Government had no official information on the subject, but he had seen a statement in the newspapers to that effect. In refusing the use of the Town Hall, Sir Richard Temple was acting within his undoubted right. As Her Majesty's Government had received no communication from the Government of India or any complaint from those interested, it did not seem a matter to call for any expression of opinion.

Mr. JOHN BRIGHT: Sir, I should like to know whether this refusal to allow the use of the Town Hall has been put in force before, or whether this was the first occasion on which the Town Hall has been refused when application has been made to hold a public meeting in it?

Lord GEORGE HAMILTON: I stated before that I had no information whatever on the subject beyond what appeared in the newspapers to the effect that Sir Richard Temple had refused the use of the Bombay Town Hall for a public meeting.

Mr. O'DONNELL asked the Under Secretary of State for India, Whether it is true that the Lieutenant Governor of the Punjab has prohibited the attendance of all officers and teachers in the Education Department at a proposed Educational Congress, for the purpose of considering the best means of promoting the diffusion of literary and scientific knowledge among the people, on the ground that officials cannot be permitted to pass criticisms on "the organization and work of the Education Department;" whether congresses of schoolmasters, school inspectors, and others connected with public education in England are similarly prohibited; and, whether Government sanctions this policy of prohibiting persons in any way connected with the Indian Government from taking part in such discussions whose outcome might amount to suggestions of possible reform in the existing system?

Lord GEORGE HAMILTON: In reply to the Question of the hon. Member, I can only say that we have no information of any kind on this subject.

THE MURDER OF LORD LEITRIM.

QUESTION.

The Marquess of HAMILTON: I beg to ask the Chief Secretary for Ireland a Question of which I have given him private Notice. It is—Whether he can give any information respecting the murder of Lord Leitrim in Donegal this morning; and, whether the assassin or assassins have been captured?

Mr. J. LOWTHER: Sir, it is with deep regret that I have to inform the House that the rumour to which my noble Friend refers is, unfortunately, correct. I have received a telegram from the Under Secretary at Dublin to the following effect:—

> "The sub-inspector at Rathmullin reports that Lord Leitrim and car driver were shot dead, and clerk mortally wounded, about three miles from Milford. Supposed agrarian outrage."

There are no further details of this distressing occurrence.

THE PROPOSED CONGRESS.

QUESTION.

Mr. GLADSTONE: Sir, I wish to put a Question to Her Majesty's Government, which I could not put before to-day, because I had not read the despatch which has been circulated this morning. I think it is a question of much importance in relation to the present negotiations. If, however, it is not convenient that the Question should be answered now, I will put it on Thursday; but I will read it now, in order that my right hon. Friend may say whether he can answer it now or then. It is, to ask Her Majesty's Government, Whether, in the communications with the Russian Government which have been lately presented to Parliament (No. 24, 1878), it is the intention of Her Majesty's Government to reserve to themselves the liberty of withdrawal from the Congress upon a proposal, by way of amendment to the Treaty or otherwise, to discuss any matter of which they might hold the discussion to be inadmissable, and without sharing in, or waiting for, the discussion itself?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I prefer that Notice should be given of the Question.

MOTIONS.

EAST INDIA (INCREASE OF TAXATION).

RESOLUTION.

MR. FAWCETT rose to call attention to the Financial Statement recently made at Calcutta by Sir John Strachey; and to move—

> "That this House regrets that the people of Madras and Bombay should be burdened with the increased salt duty which has been recently imposed upon them, and is of opinion that such increase would be unnecessary if the finances of India were administered with greater economy; that this House, whilst admitting the expediency of creating a fund in India for the relief of famines, objects to the trades licence tax, which will alone be imposed on those engaged in business, and will moreover fall upon small traders and artizans with undue severity; that, in the opinion of this House, it is desirable that the fund which is to be created in India for the relief of famines should not be expended on public works, the returns on which are uncertain, but should be devoted to the reduction of debt, or should be kept in a separate account as a reserve duly invested."

The hon. Member said, he felt sure that there was no greater service which the House could render to the inhabitants of India than to convince them that, so far as lay in the power of this country, they were determined to secure to them a just taxation, and to protect them against the infliction of unnecessary burdens. The Financial Statement of Sir John Strachey was remarkable for the grave admissions it contained about the present perilous position of Indian finance. It showed that the ordinary revenue would only just balance the ordinary expenditure of the country; and, secondly, that if any contingency occurred, the whole of the money required to meet that contingency must be provided by adding to the Debt of India. The special Famine Fund that was to be provided was proposed to be raised in five ways. To the two last of these he proposed to call especial attention—namely, to the increase in the salt duty in Madras and Bombay, and to the imposition of a trades licence tax. With regard to the former, he might say that he had never been one of those who had advocated its immediate and entire abolition; but he thought that the House would see that there was the widest and most essential difference between the proposal altogether to abolish the salt duty and the proposal to increase it as it had been lately increased in Madras and Bombay. He should like to ask the Representatives of the agricultural interest in that House what they would have to say if articles essential either to the feeding of cattle or the cultivation of land were to be taxed at the rate of 1,500 per cent? There was not a Chamber of Agriculture or a market ordinary throughout the Kingdom which would not be in a state of open discontent. Yet that was the case with this salt tax, which was imposed upon an article of food, essential, also, to agriculture and to various branches of industry. It was sometimes said that a still heavier salt tax was imposed in France. But a bad thing in France did not make a thing good in India. It had not been defended by a single European financier. The tax in France was not imposed on salt used for cattle or manufactures, and it was imposed on a country infinitely richer than India. This salt tax was undoubtedly most burdensome, and it had been condemned by many Indian authorities. Mr. Pedder, a gentleman in the Indian Civil Service, who had been specially employed to inquire into the salt duty in Bombay, was examined before the Indian Finance Committee, and said that if the duty were raised above two rupees in Bombay it would check consumption. In 1840 the salt duty in Bombay was only eight annas a-maund. Consequently, the duty had been increased since 1840 by 400 per cent. He said, further, that the cost of salt in Bombay would average two annas per maund without duty; and, consequently, the duty would increase the price 2,000 per cent. Mr. Cassels, formerly a merchant in Bombay and member of the Legislative Council, said also, in the course of his evidence before the Committee, that he thought the salt tax a very heavy burden on the poor, who had to bear many taxes from which the rich escaped. A similar opinion was expressed by Mr. Geddes, one of the three members of the Bengal Civil Service specially selected by Lord Northbrook to administer relief during the Bengal Famine. The right hon. Member for Tiverton (Mr. Massey), formerly Finance Minister, also gave strong testimony. He said—

> "I am exceedingly opposed to any increase of the salt duties; I think it is a most oppressive tax upon a class of people who have no means of defending themselves. I think, as a matter of policy, it is not expedient to increase the salt duties, and certainly not as a matter of justice and humanity."

Lord Lawrence had also given important testimony on this point. The noble Lord said—

> "I went into the subject most carefully and most minutely, and I may say I ought to know something about it (the salt duty), for I have seen the working of it for the last 40 years."

The noble Lord then referred to the deep discontent produced among the people subject to English rule by the high price they had to pay for salt, when they knew that it could be got at a merely nominal price in the Native States, such as Rajpootana. In reply to the argument that the Natives did not complain, Lord Lawrence said—

> "There is no doubt that they do not complain, but I do not see how they can complain. They must say to themselves—'The Government do this, and what, then, is the use of going to the Government officers and asking them about this?' The Government officers will say—'This is the law and you must pay, and if you do not like to pay you need not eat the salt.' But when they can, they do show their disinclination to the tax, and show it in a very marked way. . . . . . Not only does the salt duty limit the consumption as regards human beings, but I think it limits the consumption very much as regards cattle; and I believe myself that a great deal of the loss of cattle from murrain in India has arisen from the want of salt."

He might, again, ask what would be the feeling of English agriculturists if anything like a similar state of things arose in this country? It was urged in support of the increase in the tax that it would only fall upon 47,000,000 people, as compared with the 130,000,000 people who would have the advantage of a decrease; but it must be remembered that the people upon whom the increase would fall had just emerged from a state of famine—the increase was, therefore, likely to call forth a wide-spread feeling of surprise and discontent. It might be said that each person in India would have to contribute but a small amount to this tax; but that was a most fallacious argument when it was applied to a tax upon a necessary of life. This salt duty equalled, in fact, an income tax of 2 or 3 per cent. The argument would, doubtless, be pressed against him that, inasmuch as this sum of £300,000 to be raised by this duty was urgently wanted, he was, if he objected to it, bound to show that the money could be provided either by increased economy or by some other mode of taxation. He accepted the challenge. He believed that he should be able to show that the money might easily be obtained by increased economy, and also that it might be supplied by a method of taxation which no man in India would regard as being unjust or oppressive. With regard to the possibility of increased economy, Sir John Strachey had pointed to the fact that in a period of profound peace, after we had been for centuries consolidating our rule in India, our military expenditure in that country was £17,000,000, absorbing no less than 45 per cent of her entire net revenue, and that this expenditure had increased by £1,000,000 since 1875—this increase being principally due to the growth of the home charges. Sir John Strachey went on to say—

> "I do not assert that the whole of the additional expenditure on the Army has not been incurred for excellent objects or that it could have been avoided; but that the Indian revenues are liable to have great charges thrown upon them without the Government of India being consulted, and almost without any power of remonstrance, is a fact the gravity of which can

hardly be exaggerated. . . . We may hope that some reconsideration of the burden thrown upon us on account of this branch of charge may be found profitable which shall lead to an arrangement more consistent with our own views of what is equitable to India."

If, therefore, economy were practised in military expenditure in India, and if the home charges were adjusted more equitably towards India, a saving could easily be effected compared with which this sum of £300,000 to be raised by the salt duty would be a mere nothing. Not only Sir John Strachey, but official after official, had shown that the maintenance of separate armies in Bombay and Madras, with all the costly paraphernalia of separate Commanders-in-Chief and separate staffs, was not only extravagant, but useless. The home charges of India, amounting to no less than 35 per cent of her entire revenue, were spent in this country under the authority of the Secretary of State. By making the Trade Licence Act more equitable, the £300,000 might easily be raised; but at present there was no tax more unjust in its incidence or associated with more indefensible conditions. He would prove all his allegations. A Petition against the trades licence tax had been signed by 8,460 of the inhabitants of Bombay, both European and Native, including representatives of every important mercantile firm in that place. The petitioners said the Licence Tax Bill was not only faulty in details, but odious in principle. This tax was an income tax of 2 per cent on people with an income of £10 a-year; but if a man derived £5,000 a-year from trade, it was 1 per cent; if £10,000 a-year, it was only ½ per cent; and if £20,000 a-year, then it was only ¼ per cent. He ventured to say that the strongest Government that ever existed in this country would not be in Office a single week if they brought in such a proposal as that. What would be said in this country if a Government imposed, on the occasion of a national emergency, an income tax of 6*d.* in the pound on small incomes of £10 a-year, but only levied 3*d.* in the pound on incomes of £5,000 a-year, 1*d.* in the pound on incomes of £10,000 a-year, and ½*d.* in the pound on incomes of £20,000 a-year? Yet that was a literal and exact description of this income tax which had been imposed in India. This inequality, however, without precedent as it was, was by no means the worst feature of the tax. Every small trader and petty artizan, with an income of £10 a-year, might be brought under its operation; while the wealthy professional man, the doctor, the barrister, the solicitor, the official, the Commander-in-Chief with £10,000 a-year, and the Governor General with £25,000 a-year, did not contribute a single farthing of the tax. This was no Party question; and he would ask what would be thought in this country if, to pay the expense of a war, to relieve wide-spread famine, or to meet any other great national emergency, the Government imposed a heavy income tax, falling with most severity on the poor artizan and the small trader, but diminishing in severity in proportion to the wealth of the trader, and leaving the professional men, the officials, the Ministers of State, and the officers of the Army absolutely untouched? No Government would insult the common sense of England by such a proposal, and what would be denounced as unjust in England could not be more just in India. The Government of India had defended its proceedings by extraordinary arguments. They said that if the professional men and the officials were made subject to the tax, it would be a revival of the income tax; but, whether or not the extreme necessity which would justify an income tax had arisen, he declared unhesitatingly that every argument which could be used against the income tax applied with twofold force to the licence tax in its present form. He denied that, as had been said, the traders of Bombay had been benefited by the famine, for the export trade was for many months almost paralyzed, because the railways were taken up with the work of relief. In the next place, it was said that if they taxed an official they virtually reduced his salary. If that was true in India, it was equally true in England; and, in consistency, the next time they increased the income tax, they must come down to the House and say no official, no officer, no Minister should pay income tax. Then it was said the Civil Service in India should be exempted from tax on account of their services during the famine. But if they had conferred a special service, they ought to receive a special reward, not in the form of exemption from taxation. It was only a small portion of the official class that had anything to do with the famine; but these exemptions applied to all officials, even those who were 1,000 miles away from the famine district. There was no precedent to justify these exemptions. In 1851, while Lord Lawrence was Governor General, a trade licence was imposed; but it differed in essential particulars from this. It did not touch incomes below £20 a-year. It did not tax low incomes more than high ones. It was levied on professional men, and every official and every civilian having the pay of a captain in the Army was subjected to it, and it was not complained of. The Governor General paid it. The Commander-in-Chief paid it also. He invited the earnest consideration of the Government to this circumstance, that it had been calculated that if the exemptions were abolished, and the tax was made like that of 1867, pressing more heavily on the larger incomes, the extra amount realized would be £300,000, the exact amount which was to be obtained from the increase of the salt duty. Consequently, from one end of India to the other, they were going to tell the people that millions who were just recovering from the terrible affliction of famine were to have the price of the first necessary of life materially increased in order that the official classes and the professional men might enjoy immunity from taxation which was owing to a great national emergency. Could there, he asked, be a more perilous thing to do? Before concluding, he asked the House to allow him to make a few remarks on the manner in which the Famine Fund which was proposed to be raised should be employed. The object of the Famine Fund, as far as he understood, was to provide a reserve which would enable a future famine to be relieved without adding to the Debt of India. Lord Lytton did not speak with the simple clearness of the Marquess of Salisbury; but, as far as he (Mr. Fawcett) could understand, the Government did not mean to say this £1,500,000 should pay off debt or be a credit reserve, but they meant to invest it in a speculative undertaking on Indian public works. He was not about to enter upon a discussion on Indian public works; a Committee was sitting upstairs on that subject, and he would not anticipate their Report. All that it was necessary for him to do was to prove that the return on money invested in public works in India was not encouraging. The money which had been invested by the Indian Government on State Railways at the present moment only yielded a return of 1 per cent. The conclusions formed with reference to irrigation works were more definite and precise. Speaking at Manchester in January, 1875, the Marquess of Salisbury said—

> "The difficulties which surround the question of irrigation are very great. We can scarcely yet be said to have had one genuine instance of financial success. The irrigating projects that have been carried out, if they have had for their basis the former works of Native Rulers, have in many instances been a financial success; but then, of course, that favourable appearance of the account has been obtained by not charging the former expenditure of the Native Ruler. In those cases where we have begun the projects of irrigation for ourselves, we have not reached, I believe, in any one instance, the desired result of a clean balance-sheet."

And the noble Lord the Under Secretary (Lord George Hamilton), speaking in the House on the 22nd of January last, said—

> "It appeared from the last account, that there had been expended about £12,500,000 in Bengal—that is, on irrigation—and the result, including direct and indirect receipts, gave a return of 3½ per cent on the capital. But the moment this sum was analyzed, it was found that this revenue was almost exclusively derived from two canals, the Jumna and the Ganges. The capital expended on these two works was £3,500,000, and the result was 10½ per cent. On the whole remaining expenditure in Bengal, which amounted to £9,500,000, there was only a return of ½ per cent."

If the Famine Fund to be created was to be employed in this way, what security was there that it would constitute a reserve to meet future famines? The Indian Government was the landowner of India. If the owner of a private estate yielding £100,000 a-year spent that sum, and if every four or five years there occurred an extraordinary event which threw on him a charge of £20,000, and he had no reserve or contingency fund, and raised the money by borrowing or effecting mortgages, his agent would say—"This won't do; these charges will recur; you will be overwhelmed by indebtedness; you must bring the money in from some other business." Suppose he brought in £5,000 and employed it, not in forming a reserve or making a safe investment which could be got at any moment, but in a speculative undertaking which he could not readily realize, and which would not yield 1 per cent, his position would be exactly the same as before; and that would be the position of the Indian Government if security were not taken that the Famine Fund should be employed either in the reduction of debt or in constituting a fund to meet future famines. Above all things, he was anxious that the discussion of a subject involving the welfare of the millions of India should not become a mere Party question; and, personally, he had always criticized Indian Administration with the same frankness and candour whatever Party was in power. Some of them had been taunted with indifference to the interests of our great Indian Dependency; but he believed our Empire could only be endangered by misgovernment. A great statesman, who spoke on Indian affairs with an authority to which few could lay claim, said recently—

> "Our Empire in India will never be endangered by foreign aggression; the only thing we have to fear there is foreign intrigue."

But a seed would no more grow on a barren rock than foreign intrigue would find a field for its machinations among a people whose growing contentment was secured by just laws and equal taxation.

MR. SPEAKER asked if the hon. Member intended to move his three Resolutions separately or altogether as one Resolution, stating that he was at liberty to pursue either course.

MR. FAWCETT said, he would put the Resolutions separately.

Motion made, and Question proposed,

> "That this House regrets that the people of Madras and Bombay should be burdened with the increased salt duty which has been recently imposed upon them, and is of opinion that such increase would be unnecessary if the finances of India were administered with greater economy."—(*Mr. Fawcett.*)

MR. GRANT DUFF said, he regretted that it would not be in his power to vote for the Resolutions which the hon. Member for Hackney had brought forward. It would be doing him bare justice to recognize that his action had nothing whatever of a Party character about it, and he was convinced that the hon. Member would have brought forward the same Resolutions if his own Party had been in power. But he (Mr. Grant Duff) thought that the three Resolutions summed up with great neatness and precision everything which ought not to be believed with reference to Indian finance at this particular juncture. They were invited to say that they regretted that the people of Madras and Bombay should be burdened with an increased salt duty. That sounded like a truism. To do otherwise than regret the imposition of a tax would appear to be in almost all cases an indulgence in what Bentham called "the pleasures of malevolence;" but this was one of the very few cases in which it was otherwise. The addition to the salt tax in the Presidencies of Madras and Bombay was made the occasion for taking a step towards the equalization of the salt duties; which would be ultimately a very great benefit to the people of Madras and Bombay, as well as to all other parts of India. But it was said that the salt tax was an altogether bad impost—an impost which should not be suffered to exist; but he utterly denied it. All imposts were bad. It would be desirable that the blessings of order and protection to life and property, and all those other good things which the British Government had brought to India should not be bought with a price by the population, but be supplied gratis like the air, the sun, and the rain. That, however, being unhappily impossible, and justice requiring that all the population benefited by British rule should contribute some fraction to pay for it, he did not believe that, considering the circumstances of the population of India, it would be possible to imagine any tax that would be, on the whole, less burdensome than the salt tax, provided always that it was equalized over the whole Peninsula; and that those reforms in communication which were now being effected for the purpose of bringing salt more easily into some districts that had suffered from the want of it were carried out. We did not introduce the salt tax into India, we found it there. This was not the time nor the place to tell the story of our dealings with it; but during the last 50 years our dealings with it had become progressively wiser in the light of experience, and when the equalization of the salt duty, which the Government of the Viceroy had so much at heart, had been completed, it would be one of the best taxes which it was possible to imagine. It seemed particularly unfortunate that the financial proposals of Sir John Strachey should have been made the occasion for a Resolution directed against what appeared to him the right policy—the only practicable policy with reference to the salt duty—for he could not name any Indian statesman who had, within his own knowledge, been more anxious to put the salt duty on a thoroughly wise footing, and more anxious, by promoting easy and rapid communication with the great salt-producing lake of Sambhar, by wise Treaties with the Native States, to cheapen salt to that part of the population of India which had to pay most dearly for it. He passed now to the second half of the first Resolution, in which they were asked to say that the proposed addition to taxation in Madras and Bombay would be unnecessary if the finances of India were administered with greater economy. That view was quite erroneous. Doubtless, all finances in the world could be administered with greater economy than they were, and exceptional vigilance was required to keep down expenditure in India. But, as our knowledge of that country extended, and as our means of government became more perfected, he thought our administration got more economical in proportion to the results produced; and, although it was wise for the Executive Government always to keep pressing greater economy upon their servants, he thought that those who knew the facts would do wrong in allowing the House to be told without a protest from them that the expenditure of India admitted at this particular moment of any very large reductions—any reductions that would have made the two ends meet without increased taxation. He came next to the second Resolution, with which he agreed as little as with the first, and for a reason that could be stated in one or two sentences. There was no individual Member of that House who looked into the subject who would not object to the trades licence tax. But it was simply a necessary evil, and it had been made so to a very great extent by the action of those whom the hon. Member for Hackney represented in that House—that was to say, by the very class of people who got up the meeting in Bombay the other day—the noisy opinion of the Presidency town—which sometimes was wrongfully and very improperly attempted to be confounded with the opinion of the people of India. How was it that the trades licence tax, which, as he said, could not be defended for a moment if it were to form part of the system of Indian finance, had become necessary? Because the action of certain persons in India obliged the late Government of Lord Northbrook to do away with the income tax. No one could say that a considerable addition could be made to Indian taxation without making part of it fall on the trading classes. No classes benefited more by our rule, and none paid so little towards the maintenance of that rule. But, it was said, that might be; but why burden those classes, leaving the professional and official classes without additional taxation? The answer was very simple. Because, if they did not do so, they must re-introduce the income tax. For himself, he believed that a low income tax was an absolutely necessary part of any system of Indian taxation that was to be permanent. But very good authorities indeed were of a totally opposite opinion. The right hon. Member for Tiverton (Mr. Massey), who always spoke with the highest possible authority on these subjects, and another Indian Finance Minister, the hon. Member for Orkney (Mr. Laing), held a diametrically opposite opinion to that which he entertained. How, then, would it have been possible for the Viceroy's Government to have re-imposed the income tax so very soon after it had been got rid of? The thing was utterly out of the question. He believed that the Government of India, after a very few moves, would be obliged once more to re-impose the income tax; but the time was not yet come. The very agitation which was now going on in Bombay and elsewhere against the trades licence tax was an admirable preparation for the income tax. But he hoped the Government of India would not re-impose it till it was quite certain that it would be able to defy the pressure that, in the future as in the past, would be brought to bear against it; and he trusted that the re-imposition of the tax might be coupled with some distinct benefit to India, such as a reduction in the tariff. He would now pass to the third Resolution. To the proposition there set forth, he was as little able to agree as he had been to the two other propositions which he had been combating. He was entirely opposed to two separate schools of Indian opinion with reference to public works. One school of Indian opinion, which was more powerful a few years ago than it was at the present time, said that the panacea for all evils in Indian finance was this—that the Indian Government should go into the market, and raise a sum of many millions, and spend that money in improving the railway communication of the country. The other school was entirely different, and its views were, to some extent, lately expounded by his right hon. Friend who sat near him (Mr. John Bright). The view of that school was that the Indian Government, devoting comparatively little attention to railways, should go into the market, raise a very large sum of money, and invest it in irrigation. To both these extreme views he was very much opposed. Nevertheless, he believed that those were entirely in the right who said that famine in India must be chiefly fought by irrigation and by railway communication; but the two must be kept in proper proportion to each other. Neither irrigation without railways nor railways without irrigation would mitigate the terrible calamity of famine when it came. Undoubtedly, in past times, the Government of India had made many mistakes with regard to its public works; but that Government, like all other Governments, and above all like those which had to govern distant and little understood Dependencies, had had to learn by experience; and he asserted, with little fear of contradiction from those who knew the facts, that recently the Government of India had been almost with every year becoming wiser and wiser in the management of its public works. He held that it would be the greatest possible mistake in any way to discourage the judicious expenditure which was now going on upon public works, just as he held that it would be madness to throw our finances into disorder by rushing into schemes which, even if they were not, as he thought they were, chimerical, would unquestionably damage our borrowing power by startling the capitalist. He believed that in this, as in many other things, the motto *festina leute* was a good one. For those reasons, among others, he was entirely opposed to the three Resolutions brought before them alike in whole and in part. He believed, after looking as carefully as he could into the whole circumstances of the case, that Lord Lytton's Government had made the wisest financial proposals that could have been made in the very trying and difficult circumstances of the time, and he should give them all the support that was in his power.

MR. MAC IVER, in rising to move the following Amendment:—

> "That this House regrets that the people of Madras and Bombay should be burdened with the increased Salt Duty which has recently been imposed upon them, and is of opinion that such increase would be unnecessary, provided that the Trades Licence Tax, which will be imposed on those engaged in business alone, were supplemented by a similar Tax, to be imposed on those who derive their incomes from other sources; and further, that, in the opinion of this House, it is desirable that the fund which is to be created in India for the relief of famines should be expended on public works,"

said, in his opinion, the hon. Member for Hackney was wrong in many of his views; yet he believed that the hon. Member deserved the thanks of our fellow-subjects in India for his endeavours to direct the attention of the House to Indian affairs. The hon. Member seemed to impute something like blame to the present Government with regard to the imposition of the salt duties; but, if blame attached to any party, it should be to those who had made the salt duties what they were. In the main, the present proposal was a reduction of the duties by equalizing them, and those engaged in this country in the salt trade approved of the change. The Government, no doubt, would only have been too happy if they could have abolished them, for they pressed heavily upon the poor of India. It had long been a cruel tax, and they ought to thank the Government for reducing them by their equalization. Wages in Bombay were only 5½*d.* per day; and therefore a tax, which seemed but a trifle when measured in money by an English standard, was a serious matter to the poor people of India. He had only recently returned from Bombay, and he could speak of the feeling of the people there with reference to the trades licence tax. The hon. Member for Hackney had not put the effect of the meeting that took place there in a proper light. The tone of that meeting was not that they objected to a licence tax, but that there should be no exemption from it, and that it cut somewhat too low. The revenues of India did not admit that any reasonable course of revenue could be put aside, but that it must be retained and amended, so as to give relief to the poorer classes. The licence tax was more beneficial to India than the income tax. The Bombay merchants said there were great objections to the income tax from the Natives making wrong returns, and then bribing the collectors; which caused the tax to fall mainly on the English, who made fair returns, or whose incomes were known, and had to pay on the full amounts. He regretted the continuance of a salt tax for India in any form. The prosperity of India depended on her means of internal communication, and there could be no greater safeguard against future famines than by an extensive railway and canal communication. The hon. Gentleman concluded by observing that he did not know if his Amendment would be seconded, because he had not applied to any hon. Member to do so.

There being no Seconder,

The SPEAKER said, the Amendment could not be put.

Sir GEORGE CAMPBELL said, he objected to the increase of the salt tax in India. He had spoken upon the question before, and the noble Lord opposite (Lord George Hamilton) did not touch upon the points which he submitted to him. So far as answering those points was concerned, he believed that no answer could be forthcoming. The noble Lord had only said that he (Sir George Campbell) had not told the House how he could raise the money, and had not suggested any other tax in the place of the salt tax. He would deal with the subject of taxation presently; he wished now to say a word with regard to expenditure. He had never been one of those who argued that the great Indian deficit might be made up by a reduction in the expenditure. He knew the Government had been anxious to reduce the expenditure, and they had made great efforts to that end. With regard to the military expenditure, he did not think that it would be possible very greatly to reduce it. The distinguished and right hon. Gentleman who was now come to the charge of Indian affairs, had on former occasions told them that, in looking into the military accounts, he considered that the adjustment was rather favourable to India than otherwise. Perhaps he would now take another view, and the truth might be between the two views. He (Sir George Campbell), however, was convinced of this, that in regard to some matters, economy might be effected if they were very hard pressed. There were some things in regard to which reduction in the expenditure could be resorted to, rather than increase the salt tax. He did think that that increase was a most injurious and unjust step to take. It was a most important question, and the House should consider seriously the taxation which affected those dumb millions who were unrepresented in the House. They heard comparatively little about the objections to the salt tax in India or in this country; but the reason was that the tax affected what he considered he had rightly called the dumb millions of India. He, therefore, beseeched the House to give its serious attention to the subject. The hon. Member for the Elgin Burghs (Mr. Grant Duff), who had represented the Indian Government in the House, had announced himself to-day as an uncompromising advocate of the salt tax; and when the hon. Member went the length he did, and said that, in his view, the salt tax was the best which could be imposed, he (Sir George Campbell) must most entirely differ from him. It seemed to him that the tax was a great evil, and he could not understand that the hon. Member, who had had so much experience in Indian matters, should have put forward the arguments he had. The hon. Gentleman stated that the salt tax was an impost which we had inherited from the Native Governments. That, however, was not the case. The tax had been invented by Lord Clive, and the hon. Member would see its farther history if he read the speech lately delivered by Lord Lytton on the subject. The salt tax had gradually grown up in substitution for multifarious and mischievous duties. The Viceroy, in the speech to which he referred, had done him the honour to refer to a Report he had made when Chief Commissioner of the Central Provinces, and to claim him as a supporter of the salt tax. It was, no doubt, true that he had spoken of the salt tax as being preferable to the wasteful and injurious transit duties and petty customs for which it became a substitute. But he considered that the duty should not be excessive; and what he complained of was, that after the tax was raised for that purpose, in order to add to the resources of the revenue, the Government had continued to add burden upon burden, until the salt duties had become excessive and injurious to a great degree. He wished to submit three points to the House, and the first was regarding the argument which had been used by Sir John Strachey and others, that the proposition of the Government was not the increase of the salt duties, but only a measure towards the equalization of those duties. He thought such an argument was perfectly puerile, and contended that there would be no difficulty whatever in effecting the equalization without increasing the total of the duties. It was not a mere measure of equalization, but one to bring in a larger revenue to the Government of India. The next point was this—granting, as he did, that equalization, or rather approximation, was a desirable measure, he was prepared to argue, as did Lord Mayo and the late Secretary for India, and the noble Lord opposite himself, that that object should for the most part be effected by levelling down, and not by levelling up. There was ample proof of his assertion if they looked at the tax as it was levied in Madras and Bombay; since it was a fact that could not be controverted, that, at the lighter rate, the people of those Presidencies paid a higher salt revenue per head than the people of the other Provinces—less than one-third of the population paying more than one-third of the revenue. The third point he wished to bring to their notice was that, granting that it might be necessary that some increase might be proposed so as to promote the equality of the salt tax, he considered that the present time was singularly inopportune to make such an alteration, when those Provinces were oppressed by famine. It was not at all certain that the abolition of the Customs' line could be carried out. Therefore, he did say that at the present time the increased salt tax should not be carried out in those famine-stricken districts. He hoped such considerations would be well weighed by the Government. Then he came to the question as to what other tax could be levied? The noble Lord said that he (Sir George Campbell) had not proposed any other tax. Well, he had not done so, because he could not expect to command immediate assent to any proposal; but if the noble Lord was prepared to give them a week for the discussion of Indian taxation, he would submit some propositions, and a decision might be arrived at. He would, however, say a few words on the issue which had been raised as to whether we should prefer the income tax or the taxes which the Government of India now proposed. He had never committed himself to an advocacy of the income tax pure and simple; but, taking the issue now raised, he did not hesitate to say he should prefer the income tax to the taxes which it was intended to substitute for it. The £2,000,000 which the income tax yielded was the very amount which the Government of India now found it necessary to raise. He maintained that Lord Northbrook was not forced to abolish the income tax. His Lordship went to India believing that the tax was a bad one, and he accordingly abolished it, although most of the Members of his Council who had Indian experience, and the Duke of Argyll, then Secretary of State for India, were not of his opinion in this respect. The licence tax was nothing more or less than a disguised income tax with certain exemptions and omissions. The persons exempted were the rich, the great, and the noisy; those whom the tax reached were the poor, the uninfluential, and the dumb. To begin with, a pure and simple income tax was levied in the shape of an assessment upon land. That tax was imposed in the same form as the original income tax upon land, only there was this difference—that the assessment was carried down to the lower class of holders. Where the former income tax was imposed upon one, it was now imposed upon 100—that was, upon every agriculturist. Under the licence tax classes who would have been taxed under the original tax were exempted under the present tax. The Europeans were practically exempt from payment, both as public servants, and as holders in joint-stock companies, and large mercantile firms, and professional men. So were the very rich Natives, and great Native firms and Native lawyers. The tax had, on the other hand, been imposed upon the very poor, which formed the greatest class. The Government of India originally proposed that the maximum licence tax should be £1; and, at the same time, they proposed to carry the tax down, not only to incomes of 100 rupees (£10), but even to 50 rupees (£5). But the Secretary of State very wisely objected to so very partial a course, and the maximum tax was raised to 200 rupees (£20), and eventually to 500. He was glad that the agitation in which he himself took a part had had this success. Although he admitted the tax was considerably improved, yet the hon. Member for Hackney was still right in saying it was still an inequitable tax. A tax on salt was nothing less than would be a tax on bread in this country. Could any Ministry in this country stand for a moment if they were to impose an income tax that would spare the rich and press upon the poor? If, for instance, they were to exempt all the rich, put the tax on small incomes down to £80 per annum, and make up the difference by a tax on bread? If increase of the income tax, as the hon. Member for the Orkneys said, would necessitate an addition of 50,000 men to the Army in India, these new taxes would require an addition of 500,000 men to the Army. The men who would be hit by those taxes were the agricultural classes and the small landowners and ryots. The richer class of tradesmen, who were not likely to rebel, were let off; but the small traders and artizans would feel the weight very heavily, and they were a class very likely to rebel. It was, therefore, a tax which would necessitate an addition to the Army 10 times greater than would be required by imposing the income tax. If he were Secretary of State, he should telegraph at once to the Indian Government to say they had made a mistake, and that they ought to reduce the salt tax from 2½ to 2 rupees, and impose the additional taxation on the class who were now exempt. He would try to reduce the duty to that level, but on no account would he increase it, and would impose on the richer classes the additional taxation which might be considered necessary. With regard to the third Resolution of the hon. Member for Hackney, he entirely agreed with it, and was of opinion that the famine and the public works accounts should be kept separate. He thought the House and the country had been somewhat unfairly treated with respect to Indian finance, only one side of the matter having been placed before them. The opinions of the Indian Government had been stated; but nothing was known of the views of the Council at home, nor of the Governments of Madras and Bombay. He could not be satisfied until these were produced. On these grounds, while not agreeing with all the views of the hon. Member for Hackney, he was prepared to give his Motion general support.

Mr. SMOLLETT said, he did not intend to say a word about the salt tax or the licence duties; but he was prepared to support the Motion of the hon. Member for Hackney (Mr. Fawcett) on the broad ground that the revenue of India, as formerly levied, amounting to £50,000,000 or £51,000,000 sterling per annum, ought to be sufficient not only to meet the necessities of the Indian Government, but to leave a large surplus for the reduction of taxation or of the public debt. He should feel it his duty to say something about the management, or rather the mismanagement, of affairs in India during the last 12 months, especially with reference to the Famine. He had often heard it stated that it was the unexpected which always happened, and certainly nothing more strange or more unexpected had ever occurred in his recollection than the Indian Famine scare of 1877. That scare had lasted for six or seven weeks, and had collapsed just as suddenly as it had originated. But how had it arisen? The attention of the Indian authorities had been directed during a great part of 1876-7 to the necessity of providing famine relief in that country. There had been a great dearth of rain in the Presidency of Bombay and in the districts of Madras, and money was wanted to feed the people. In March, 1877, a Council was held at Calcutta, under the presidency of Lord Lytton; and Sir John Strachey, who held the lucrative, and, in his opinion, sinecure, office of Finance Minister, made a long statement, in which he said that £3,500,000 would be found to have been expended on famine relief in 1876-7, and that £4,000,000 had been expended on extraordinary works, which were, for the most part, unproductive. There was, of course, under management like that, a great deficiency. In point of fact, the Finance Minister assumed that the excess of expenditure over income in the year would be not less than £6,000,000. Sir John Strachey proceeded to say that for the year 1877-8 £2,250,000 must be expended on famine operations, and that £4,000,000 or thereabouts would have to be expended on public works extraordinary, which would be to a great extent unproductive. He then calculated that there would be a deficit of £4,250,000, and that deficit he proposed to make good by borrowing money. He suggested that a large loan should be raised in London, and a small one in India, adding that if that were done, and the cash balances in India were somewhat reduced, both ends might be made to meet. The Budget of Sir John Strachey was sanctioned by the Secretary of State for India (the Marquess of Salisbury), and a Bill was introduced into that House at the end of last July enabling the Indian Government to borrow £5,000,000; although the Under Secretary of State, in bringing forward the measure, said it would probably not be necessary to borrow more than £2,500,000. The Bill passed with but little opposition, he himself being almost the only one who had objected to it; and he did so on the ground that, as a matter of fact, the money was not required in India for the purposes of the Famine. He had contended that the loan was required only to carry on public works extraordinary; and that, if these works were abandoned or postponed, it would not be necessary to borrow the money at all. To that opinion he still adhered; but the Bill was passed as it stood, and about the 18th of August the Prorogation took place. Hon. Members retired to their country seats and grouse lodges in Scotland, in the happy belief that they had done their duty and had provided for every want of India. Means having thus been taken to meet every contingency, he (Mr. Smollett) was certainly astonished to learn from London newspapers of the 18th August last, that at the very time the Bill was going through the House of Commons Indian finance was in a state of collapse. It appeared that a meeting had, on the 9th of August, been held at Madras, under the presidency of the Duke of Buckingham, for the purpose of considering the condition of that Province. It was stated at that meeting that a calamity had befallen Madras which could not be exaggerated. It was alleged that a catastrophe had befallen the Madras Presidency which would change the course of history, that 18,000,000 of Her Majesty's subjects were brought face to face with famine. The immediate cause of this calamity was the failure of the July rains; but complaint was also made of the action of the Supreme Government. Lord Lytton had, it seemed, sent to Madras at the commencement of the year, a gentleman from Bengal named Sir Richard Temple, to ascertain how Famine relief was going on there; and Sir Richard Temple, who had had great experience in dealing with the Famine in Bengal in 1874, and who was supposed to have been rather profuse in his administration of the funds for its relief, was declared at Madras to be an awful screw. Sir Richard Temple, it appeared, found fault with the extravagant outlays of Madras officials. He declared that the rations issued were more than enough to maintain life, and these orders, it was alleged, had led to a frightful mortality. Hence the necessity of imploring eleemosynary aid from the British public. Now this was a strange step for the Duke of Buckingham to take. Surely, if the population of Madras were suffering under the action of Sir Richard Temple and the want of rain, it was the duty of the Duke of Buckingham and his Government to have made representations on the subject to Lord Lytton; and if Lord Lytton turned a deaf ear to those representations, to have telegraphed to the Marquess of Salisbury. Nothing of the sort, however, had been done, and an act of disloyalty had been committed towards Lord Lytton, of which, he trusted, a full and sufficient explanation would be given before the present discussion closed. He was perfectly prepared to admit that in consequence of the Famine the Government of Madras was reduced to a position warranting some anxiety and even alarm. It became necessary to continue the Famine relief a month or two longer than had been contemplated; but everyone who was acquainted with the seasons in Madras must be aware that the hopes and prosperity of the agricultural population in the South of India were based on the North-East monsoon. That brought rain, and if rain fell copiously from October to January the crops would be abundant; but at the end of August the Duke of Buckingham had ignored the possibility of rain in October and November, and had asked for help from England, although Parliament had already supplied the Government of India with ample funds. He had always been at a loss for an explanation of that appeal for English help till he read a letter to *The Times*, dated from Madras, in August last. It appeared that a Mr. Pogson, a gentleman who held the office of Astronomer to the Government, and who also dealt in astrology, had been looking at the Sun's disc, and had discovered in the month of July that two or three opaque spots had suddenly disappeared. Alarmed at this phenomenon, Mr. Pogson consulted the stars, and prognosticated that nothing but famine, calamity, and pestilence to Madras would be the result. He was fortified in this view by a Dr. Hunter, of Madras; the Duke of Buckingham took the alarm; and an appeal was made to the benevolence of England, and in a short time no less than £500,000 had been collected; although, in truth, what was wanted at Madras was not money, but harmony of action. In the course of the next few weeks the theory or prophecy of the astronomer was falsified. Early in August plentiful rains fell in Bombay. During the entire month of September the rains were more than usually abundant, and in October the North-East monsoon began at Madras with more than ordinary vigour, and all fear of famine was averted. The Duke of Buckingham telegraphed home to say that no more money was wanted, and the works were abandoned on which the famine-stricken population was to have been employed. While the apprehension lasted, all sorts of wild suggestions had been made. Parliament was to be summoned, and the Chancellor of the Exchequer was to send £3,000,000 to India as a gift, and to ask for a Vote of indemnity; the right hon. Gentleman the Member for Birmingham advocated a loan of £30,000,000 for irrigation works; and it was stated that the revenue of India for the year 1877-8 would lose to the extent of one-third. In many quarters a deficit to the extent of £20,000,000 sterling was anticipated. In the meanwhile the officials were silent; but, in October, the Marquess of Salisbury, speaking at Bradford, had expressed a hope that the people of England would not suppose that millions of money were wanted for the purposes of the Famine. He deprecated the suggestions made for enormous outlay on works of irrigation to avert dearths, and showed distinctly that many of the recent works had been failures and paid no return to the Government. Now, these observations were wise and salutary; but he (Mr. Smollett) must insist that the Marquess of Salisbury was himself mainly responsible in spreading the belief in the necessity of great works of irrigation to avert famines for the future in India. In a speech delivered in "another place," on the 9th June, 1874, the Secretary of State for India said that this was his conviction. For that end he declared that new works were being devised. In addition to irrigation works then in the hands of the Public Works Department, estimated to cost £18,000,000 sterling, he said he had sanctioned a fresh undertaking at the estimated cost of construction of £14,000,000. This, his Lordship said, would be a most profitable outlay; for it would obviate the necessity of spending £6,000,000 or £8,000,000 every 10 years on Famine relief. This great scheme, with others, had been shelved because exposures had been made in Parliament of millions of money wasted on the irrigation works of the Toombudra, and in the Cuttack, the Orissa and Leone River schemes. But for these exposures tens of millions would have been wasted upon adventures that rarely paid their working expenses. The Marquess of Salisbury, although deprecating, at Bradford, large outlays of money upon irrigation works, spoke much about measures for ameliorating the condition of the masses of the people. He spoke of introducing better systems of revenue management, he dwelt upon the necessity of teaching the masses habits of thrift and of economy, and of rescuing the agricultural classes from the fangs of the ruthless usurer. Philanthropic sentiments like those always brought down the applause of ignorant spectators, but they exhibited marvellous ignorance in a Secretary of State. What was the actual position, and what the condition of the 1,500,000 paupers who, in August last, were being fed at the cost of Government in the Madras districts? The vast majority of those poor creatures were agricultural labourers living with their wives and families in poor mud huts, and cultivating extremely small holdings, paying rent to the Government. The majority of these men lived upon less than £5 or £6 a-year, and to talk of teaching them thrift and economy was an absurdity. They were the most industrious and economical people on God's earth. When the noble Lord spoke of rescuing these people from the grasp of the usurer, he spoke of a thing of which he had no knowledge, for usurers could not possibly live in these village communities. When a ryot wanted a small loan he got it from one of the headmen of the village, to whom he paid 12 per cent interest, together with the principal, by instalments, or in labour. It was the Government in India which was the usurer, by not writing off the rents which accrued due in times of scarcity; for by this action it perpetuated famine long after the periods of actual dearth had passed away. What the people of India wanted was not an increase, but a diminution, of taxation, and this could only be accomplished by the exercise of economy. There was no Department in the public service of India which could not bear reduction. To begin with, the office of Finance Minister ought to be abolished altogether. It was established about 18 years ago, had attached to it a salary of £10,000 a-year, and had passed through eight or 10 hands. Lord Ellenborough and Lord Dalhousie were their own Finance Ministers, and he saw no reason why Lord Lytton should not follow in their footsteps. The Ministry of Works, too, with its accompanying annual salary of £10,000, ought also to be abolished. That office was created four years ago, and the appointment was made against the advice of the then Viceroy, Lord Northbrook. The covenanted Civil Service was also capable of considerable reduction; for if the large number of uncovenanted civil servants now appointed did their duty efficiently, they must relieve the covenanted servants, and render it unnecessary to go on largely increasing their number, as was now done year after year. In the military service, too, a reduction could be made in the retiring allowances and in the constitution of the permanent staff. The Public Works Department cost in wages and other emoluments not less than £1,500,000 annually—a sum which ought to be reduced to £600,000, or £650,000 at the utmost; and, if that was done, the amount expended on the works themselves could be brought down from £8,000,000 to £5,000,000 annually. With that reduction, and the reduction in salaries and allowances to which he had alluded, reduction of taxation would be easy and practicable. To speak in that House, however, of economies in India, was an irksome and unprofitable task. The subject did not commend itself to the official mind, and out-of-doors no one cared about it; but, at the same time, he thought it might be practised with advantage. The late Lord Mayo—the only Governor General of India in the last 20 years who had shown any administrative ability—when he went to India, in 1869, found the finances of the country in a state of utter confusion and prostration. He discovered a deficiency on the preceding financial year of £4,144,000, and he at once declared that such a deficiency should not recur during his Viceroyalty. From 1869 to 1872 Lord Mayo enforced a severe system of economy in Indian finance, which resulted in his having in the latter year a real surplus of £1,500,000, the total Indian expenditure for that financial year amounting to £48,600,000, including £1,500,000 for extraordinary works, while the Revenue amounted to £50,110,000. What Lord Mayo had done, any other Governor General could accomplish, if he were a man of the same will, determination, and energy. He did not say that Lord Lytton did not possess these qualifications, nor did he seek to throw blame upon him. He believed that, under the guidance of the late Secretary for India, reductions could not be made in the expenditure; because the Marquess of Salisbury was a man of the most profuse disposition, who never hesitated to sanction any proposed outlay for unnecessary and speculative undertakings in India. He trusted, however, that, as there had been a change in the head of the Department, there would also be a change in the policy, and that the new Secretary for India would revert to the policy of Lord Mayo, and, by reducing the amount of the expenditure, would confer a great blessing on the people of that country. He should support the Motion of the hon. Member for Hackney.

Mr. GRANT, as a new Member, asked for the indulgence of the House while he referred to the Petition from Bombay on the subject of the new taxation imposed upon India in order to make provision in the event of a future visitation of famine. He would endeavour to place himself in the position of the petitioners of Bombay; and he was the better enabled to do so by having resided long in that Presidency, for the welfare of which he had always entertained a very warm feeling. The Viceroy of India, in a speech which he made in reference to this new tax, was reported to have said that the measures which were being brought forward by Sir John Strachey had the general support and cordial appoval of all classes in India. All he (Mr. Grant) could say was, that when the Viceroy used those words, he must have been in lamentable ignorance as to the state of feeling in Bombay with regard to those measures. When the measures were introduced in the local Council of Bombay, the community approached the Government, praying that before those measures were finally passed, they might be allowed an opportunity of expressing their opinion with regard to them. That was at once refused to them. They then asked the Government of Bombay to let them have the use of their own Town Hall—a very reasonable request, it seemed to him—in order that they might hold a public meeting and discuss the measures which were being passed in Council. That also was harshly refused, and, he thought, most unwisely refused. Under these circumstances the measures were hurried through Council by the support of the official members, notwithstanding the protests of the non-official members. But the inhabitants of Bombay were not thus to be baffled in their desire to express their opinion on matters affecting their welfare; and, when denied the use of their Town Hall—which he humbly ventured to think was the most appropriate place in which the meeting should have been held—they were driven to take refuge in the tent of some itinerent equestrians — and there, the most numerous and influential meeting ever held in Bombay decided unanimously that a Petition should be sent to the House of Commons, for the reason that they despaired of getting even a hearing from the local Government. This was what the Viceroy described as the generous support and cordial approval of all classes of the community in India. As to the different provisions in this taxation, he would wish first to refer to the increase of the salt tax. Now, anyone who knew anything of India must be aware that any addition to that tax must inevitably cause a great amount of hardship, inasmuch as it fell upon the very poorest class of the community. At any time that change ought only to be made for a very strong and sufficient reason; but, at the present time, the poorer class over a great portion of the Presidency were only just emerging from Famine, and were necessarily distressed and impoverished. Yet this very time was chosen to increase the tax to 2 rupees 8 annas per maund, an increase of 35 per cent on the former tax, which meant an increase of 50 per cent on the price of the article before it reached the consumers. The Government gave, as an explanation, that at some future time—time not mentioned—they intended to raise the salt tax to the uniform level of 2 rupees 8 annas per maund. Yet, although this change was promised in the distant future, they thought the present was the proper time to come down on these miserable ryots of Bombay, when they were only just recovering from the terrible effects of famine. He thought that was very like quenching the smoking flax and putting out the flickering spark of new industrial life, which was just struggling to re-appear since the crisis of the Famine had been passed. The Government would have done well to have waited a little while before imposing that additional burden on the very poorest class in the Presidency. The Government had begun to collect an insurance tax against future famine from the poor people, who could not be said to have entirely relieved themselves from the grip of the Famine which was just now passing away. At a meeting in Bombay it was said that in various parts of the Presidency the sad sight might be seen of long strings of carriers returning from the coast empty-handed, because their usual customers had neither grain nor money left, and it was of no use to take salt back. The next proposal was a licence tax, to be paid by all the traders throughout the country. Now, the trading class, both European and Native, freely admitted that the burdens on the cultivators of the land were so great that it was not unfair that they should be exempted from the incidence of that new taxation. That showed that the opposition in Bombay to the licence tax did not originate in any mere selfish impatience of taxation. The new licence tax, by its machinery, would fall to the heaviest extent on a very poor class—on the petty traders—many of whom were scarcely able to keep body and soul together. Persons who were deriving the magnificent income of £10 a-year were to be charged 2 rupees, or equal to 2 per cent on their miserable earnings; while the man with £2,000 per annum would pay 1 per cent, and the man with £4,000 only ½ per cent on their incomes. The tax was, in fact, so constructed that it fell lighter and lighter the larger the income of the taxpayers happened to be. But the great grievance, the crying evil, the gross outrageous injustice belonging to this licence tax was the exemption from its incidence of the official and professional classes throughout India. The House would scarcely believe that the great Civil Service in India, the men who framed the laws of India, and who were, perhaps, the best able to contribute, deliberately legislated themselves outside of the limits of that tax. The Viceroy assigned as a reason for that exceptional legislation, that in the distressed districts many members of the Civil Service had worked very hard and made sacrifices. No doubt that was so; but the proper way to compensate those particular men who had rendered extra services was to give them the rewards or promotions to which they might be individually entitled; but it was most ridiculous and unjust, because a small part of the official class had been overworked and had made sacrifices, to relieve all the wealthy class distributed over India from contributing to the fair burdens of the State. Again, it was urged that the servants of the Government had suffered severely within the last few years from the depreciation in the price of silver. But, then, the trading class had suffered quite as much, and he almost ventured to say more, than the official class from that very same cause. He would appeal to anyone with any knowledge of India to say if, in the last few years, there had not been great depression among the mercantile classes of India. The Government, however, said that large profits had been made by the trading community during the Famine, and that, therefore, they were able to bear this exceptional tax; but he ventured to deny that statement. He admitted that in some instances a few favoured individuals might have made money out of transactions in grain and breadstuffs. They were requested by the Government to go into the business, and the Government were grateful to them for doing so, and no doubt their doing so saved thousands of lives. They were entitled to a fair reward for their enterprize and risk; but if they were now to be mulcted by exceptional taxation for what they had done, it was not very encouraging for them to repeat their operations in any future Famine. But he denied that any profits of the kind had been made by the mercantile class generally, which in Bombay of late years had made many losses and but little profit. Then, the Viceroy of India had stated that if they did not exempt the official class they could hardly exempt the professional class, and that if they did not exempt the professional class they would be inexorably brought back to the hated income tax. He could not see this conclusion. It was not necessary to return to the "hated income tax" merely because the official and professional classes were to be included in the licence tax; because machinery could easily be arranged for including all classes in it. The objection to the income tax was its inquisitorial nature, which certainly made it hateful to the Native mind; but no inquisitorial action was necessary with regard to the salaries of the official class, for the Government knew what they were. Why should the professional class be considered to be more hardly used under the licence tax than their mercantile brethren? He saw no justification for exempting those classes from the action of the tax. Was the official class poor and unable to pay the tax? Surely that was not the case. He had always been given to understand that the Civil Service of India was the very best paid Service in all the world. He saw that the salaries paid to young men at their immediate entrance into the Service were £600 or £700 a-year, and the higher branches drew from £5,000 and £6,000 up to £10,000 a-year. Were the Government going to take 2 per cent from the miserable hawker with £10 a-year, and let the man who drew £6,000 or £7,000 a-year—more in one day than the other got in the whole year—go scot free? Were the Civil servants over-worked or over-burdened in some other way? So tempting was the Service, that crowds of the very flower of our youth every year pressed forward to compete for a place in its ranks. He would ask them, were they to send out to India, to govern India, men who were to draw their swollen salaries and enjoy all the privileges of citizenship and high position, and who were, at the same time, to frame the laws in such a manner as to exempt themselves from paying their fair share towards the public burdens of the country? Well, indeed, might one of the speakers at the Bombay Meeting make the apt quotation—

> "Ye put heavy burdens, grievous to be borne, on other men's shoulders, but ye yourselves refuse to touch them with one of your fingers."

He should conclude with an expression of hope that the House would pass the Resolutions of the hon Member for Hackney, and show their disapproval of this hasty and ill-considered legislation on the part of the Government of India, and that they especially disapproved of the exemption of any privileged class from taxation. As he saw the new Secretary for India in his place, he would appeal to him, on taking up the reins of his Office, to let this be one of the first subjects to engage his most careful attention.

Mr. BIRLEY regretted that the hon. Member for Hackney was not satisfied with the discussion, but meant to go to a division. They must all regret any increase of the salt duty in India—and, indeed, that there should be any salt duty at all. It was an onerous and most objectionable tax. But a little inquiry had satisfied him that, if they were to have any taxes in India, the salt tax was perhaps the least objectionable, because it raised a certain sum from all the inhabitants of India. But the efforts of the Government were now very wisely directed to the mitigation of the evils of the tax; which, in fact, arose chiefly from the difficulty in the transit of salt, and from differential duties. He could not accept the Resolution of the hon. Member for Hackney with reference to this point, because it implied that the Government had simply raised the tax and done nothing to mitigate it. Then, as to the second proposition of the hon. Member for Hackney as regarded the administration of finance, it was simply a truism; and, as to the want of economy, the charge, he feared, fell on every Government. He was quite unable to see how a trades licence tax should be objectionable. Solicitors in this country paid a licence tax, and so did bankers. But he admitted the tax pressed hardly on the poorer traders. With regard to the third proposition of the hon. Member for Hackney, it was right that the money expended on the construction of public works should be laid out with great care and caution. The proper administration of the funds applied to public works was one of our great difficulties in India. He thanked the hon. Member for having introduced the subject, which ought not to be relegated to a late period of the Session; but he could not help remarking that, while that hon. Member urgently insisted on relieving the Natives of India from taxation, he had not shown much sympathy with the endeavour to remove the import duties on cotton manufactures; but it was a gratification to find that something was being done to reduce the cotton duties, and he hoped the new Secretary would, in this respect, follow in the footsteps of his Predecessor. The Government, in this matter, had taken a step in the right direction. He accepted it as a proof of goodwill, and of their sincere intentions for the welfare both of India and England.

Mr. ERNEST NOEL said, the House and the country owed gratitude to the hon. Member for Hackney for bringing these subjects forward. He was glad the Resolutions had been divided, because, though he could not vote with the hon. Member on the first, he could vote with him on the two others. As to the first Resolution, he felt that it implied more or less a vote of censure on Sir John Strachey and his Budget.

He had no doubt that everybody would regret with the hon. Member for Hackney the increase of the salt duty; and he felt that, with greater economy in the administration of the finances of India, the duty might not have to be increased. But, while stating that which was nothing but a truism, it would be unfair, he thought, to Sir John Strachey, if the House were to pass the Resolution as it now stood, as it meant that the House regretted the action of the Government of India in increasing the salt duties in the Southern Provinces, as showing an intention on the part of the Government simply to increase those duties. Now, he did not believe that the Government of India had that intention, and nothing more. He believed that the Government, in the change they had made, intended to make the incidence of the tax more uniform throughout the whole of India, and thus to get rid of the causes which made salt dearer in many parts of that country than it was in others. If he thought it was the intention of the Government of India simply to increase the tax upon salt, he should support the hon. Member for Hackney in his first Resolution. But, believing, on the contrary, that it was the clear and manifest intention of the Government of India to reduce the salt tax whenever they could safely do so, he felt that it would be unfair on the part of the House to pass a censure upon that portion of Sir John Strachey's Budget. He had noticed that, in the discussion of questions of Indian Finance in that House, it was constantly forgotten that India was a poor country, and a country with a very small middle class and a very small rich class, and that any tax to be really productive must be laid upon the great mass of the people. He asked the House not to be led away with the idea that this was a tax upon bread. It was nothing of the kind. It was only an infinitely small part of the expenses of the millions of people in India. As Sir John Strachey had pointed out in his Financial Statement, the increase upon the poorer classes in the South would amount to about 2*d.* per head; which, when spread over a whole year, did not represent a very sensible amount, even in the very small incomes of the people of the South of India. It was to be remembered that, with the exception of the land tax—which, as everyone acquainted with India knew, was no tax at all—there was not a single tax levied in India at the present time against which the strongest objections might not be urged. The salt tax was a bad one, and he had no doubt that if anybody could point out a better, which would be equally productive, the Government of India would be only too glad to adopt it. The hon. Member that had preceded him in this debate had spoken of the cotton duties. Well, he (Mr. E. Noel) admitted that they were bad; but, again, these duties had to be continued in spite of what the late Secretary of State for India had said about them, because revenue was required for India, and it was difficult, if not impossible, to find a substitute for them. Certainly, they all agreed that economy ought to be used in the administration of the finances of India, and he, for one, believed that there were economies which might be effected in respect of the Indian Army. But, he considered, that was a question which might be decided not so much by the Government of India as by the Home Government. As to any reduction in the Civil Service Estimates of India, he believed that it was now simply impossible to reduce that expenditure, if the Government of India were to be carried out in a manner which should render it advantageous to the great majority of the people. He cordially agreed with the hon. Member for Hackney that it would be a great misfortune if the money which was to be raised for the relief of Famines should be lost, as it were, by being expended upon public works, where it could not be touched when occasion might require it. Let them do what they liked in the way of irrigation, they could not prevent the recurrence of famine in India, and they could not look to irrigation works to return in the form of revenue anything like a fair proportion to the outlay upon them. Therefore, he trusted that Her Majesty's Government might, after a more careful consideration of this subject, see that it was desirable that the Fund for the relief of Famines should be kept perfectly distinct from all other sources of expenditure.

MR. BALFOUR desired to call attention to the arguments which Sir John Strachey had adduced in support of the Budget, as they had been rather ignored in the course of this discussion. If he understood Sir John Strachey rightly, what he said was in substance this—"We must have £2,000,000 of additional taxation, partly because we require an annual surplus, and partly because we must have some assurance against these recurring famines. We have already taxed, or are about to tax, the Northern Provinces of India by laying upon them a land tax or a cess; and we must put some corresponding tax on the Southern part of the Peninsula—or, in other words, on Madras and Bombay. Now, there are only two taxes which could touch the mass of the people in Madras and Bombay—namely, the salt tax and an increase of the land tax. The fact that these people have been suffering from famine is a strong reason for not putting both taxes upon them, and, consequently, we have to choose between the land tax and the salt tax." In these circumstances, Sir John Strachey, with the assent of the Government of India, chose the salt tax. This was, in his opinion, a judicious choice, for they would thus be able to abolish the great Customs' barrier which stretched from one side of India to the other. Some hon. Members opposite said the salt tax was a very hard impost, because it pressed upon the poorest part of the population. The hon. Member for Kirkcaldy (Sir George Campbell) talked of the dumb millions who would be oppressed by the tax. Of course, everybody must sympathize with the poor, but there were reasons for thinking that the poor people generally should not be exempted from the additional taxation. £1,500,000 out of the additional £2,000,000 required by the Indian Government was wanted for purposes of famine insurance. It was just and right, therefore, that the persons who were to obtain the assurance should pay, at any rate, part of the premium. He did not propose to enter into the comparative merits of the licence tax and the income tax; but he would pass on at once to the third Resolution of the hon. Member for Hackney, which referred to the manner in which this fund, if raised by taxation, ought to be expended. The whole subject had been before a Select Committee. So far from public works being unprofitable, he believed they would give a return of 5½ or 6 per cent, as against 4 per cent yielded by ordinary Indian investments. It was also a clear advantage to provide people with the means of irrigation—that was to say, with the means of averting famine, instead of bestowing charity or semi-charity upon them when famine had begun. By adopting the former course, they would substitute prevention for cure. He could not support the Resolutions.

Mr. MASSEY said, he gladly bore testimony to the energy with which the Indian Government had prosecuted the work of financial reform for some years past; but felt bound to differ from them as to the propriety of the salt tax, as they proposed to levy it. In itself a salt tax was legitimate enough. A contribution to the requirements of Government must be obtained from the working classes in India in some shape or another, and every other mode than by that of the salt tax had been considered by successive Governments in India; but they had come to the conclusion there was nothing less objectionable than a well-regulated salt tax. But, unfortunately, that tax was not well administered. It necessitated the employment of an army of 8,000 revenue collectors along a frontier of 2,000 miles; and, besides the objection which the enormous expense thus involved constituted, there was the further objection of the wanton inequality in which the tax was assessed throughout British India. Sir John Strachey told them that this change was preliminary to financial reforms, and the re-adjustment of the salt tax, if they adopted the measure which was the subject of debate that evening; but he could not follow the reasoning by which Sir John Strachey came to that conclusion. Madras and Bombay had been selected for the increase of the salt tax, from the fact that it was lower there than in the other parts of India. The tax was proposed to be raised from 3*s*. 7½*d*. per bag of 82lb. to 5*s*., which was a material addition, when they considered that it was a tax paid by the labouring population, whose rate of wages was so low as to be almost incomprehensible here. It was said that no complaints had been made by the people of India against the tax; but they had no trades' unions and no organization to resist what they might consider unjust taxation, so that if the Government imposed double and treble the amount of the present taxation of India the people would endure it in silence; but was not that a reason why the House should be careful and vigilant in guarding these helpless multitudes from the oppressive taxation of their masters? Passing from principles to details, he could see no reason why Bengal should be benefited at the expense of Madras and Bombay. The Government of India actually proposed that populations which had suffered from famine should be subjected to this increased taxation, and that nearly half of the proceeds should go to the relief of a Province which had not suffered in the same degree, and which Sir John Strachey—in whom, personally, by the the way, he had the greatest confidence—declared to be in the enjoyment of a state of general prosperity such as had never before been known within the memory of man. It was true the salt tax in Bengal was higher than in Madras and Bombay; but if that was an injustice it ought to be remedied by an equal adjustment or by a diminution of the salt tax in Bengal—certainly not by a subsidy to Bengal, as was proposed. But, although the manner in which the salt tax was manipulated appeared to him unjust and unwise, he could not take it upon himself to say that the sum which the Indian Government proposed to raise was unnecessary. He must assume that unless they required the money they would not seek to raise it. Neither could he take upon himself the responsibility of saying that economies could have been effected to an extent which would have enabled the Government to dispense with that sum. Therefore, he felt great difficulty in voting for the first Resolution of the hon. Member for Hackney. With respect to the second Resolution, he had no such difficulty. The licence tax, which had been imposed in 1867, had commenced at £20, and went up by a graduated scale to a very considerable amount. The Civil Services, moreover, were included under it, and it cost little or nothing in the collection. How different was the tax which was now imposed by Sir John Strachey! It was levied upon the small trader, and the Professions and Civil Services were excluded from its incidence. A considerable amount of clamour had, no doubt, been caused by their inclusion in 1867; but the Indian Government of that day deemed it to be their duty to disregard that clamour, and it disappeared, the tax took root, and produced fruits in accordance with the Estimates which had been made. He thought it would have been better had the same course been pursued by Sir John Strachey, and the tax replaced on the footing on which it stood in 1867, commencing at 200 rupees instead of 100; for so strong had been the representations made in 1867 as to the oppressive manner in which the tax bore upon the poor, who could ill afford to pay it, that it had been determined to raise the minimum from 200 to 500 rupees—an alteration which, he might observe, hardly recommended itself to his mind. He objected, however, to the tax being levied so low as 100 rupees; and, for these reasons, he should give his cordial support to the second Resolution. With regard to the third Resolution, he thought the appropriation of the money which was raised had better be left to the discretion of the Indian Government, and, therefore, he could not support it.

Mr. C. BECKETT-DENISON said, he was not at all enamoured of the Budget of the Indian Government; but in considering abstract Resolutions such as those before the House, he felt bound to ask himself would they, if passed, be productive of good or evil? They were a Vote of Censure upon the Indian Government, and especially upon Sir John Strachey, and would compel them practically to undo all their work at a critical moment without having any clear and definite means of providing further sources of revenue. He did not think the salt tax in India was a bad tax, and believed it would always remain one of the sheet anchors of taxation in that country. As regarded the augmentation of the tax in Madras and Bombay, he would merely observe that an increase of only 11 annas per maund was so infinitesimal that it did not admit of being expressed by the mention of any known coin. Besides, the Government of India stated that the augmentation was made with a view to equalize the incidence of the tax throughout India, so that they might at the earliest possible moment be able to reduce the amount. His only fear was that the increase, combined with the abolition of the large army of revenue collectors which had just been referred to, might give an impetus to Native smuggling throughout the States of Upper India; for there was a coarse Native production which could be used after very little preparation. That might be preferred to the superior article if any large increase in the price of the latter took place, and consequently to a falling-off in trade. Looking, however, upon the proposal as an experiment, he was not prepared to say that the Indian Government, with the latest information at their command, were wrong in the decision with regard to the tax at which they had arrived. He was, therefore, unable to vote for the first Resolution. As to the licence tax, he concurred in almost every word with respect to it which had fallen from the right hon. Gentleman the Member for Tiverton who had just sat down. The licence tax began too low, and the result was that in the poorer classes the irritation was very great, while the produce of the tax was inconsiderable. The Government would have done better to have taken 300 rupees as the lowest level for the new tax. The exemption of the European community from the incidence of the tax, while the Natives remained subject to it, could not be defended on principle, as it gave ground for suspicion on the part of the Natives with regard to the motives which actuated the Indian Government. At the same time, it should be remembered that the Europeans paid income tax at the rate of 10 or 12 per cent, as the rate of exchange was always adverse to them. That circumstance had to be taken into account, and he would, therefore, lay stress upon the exemption of a particular class. As for the third Resolution, he preferred to wait for the Report of the Committee with respect to the Famine Fund; the question was both difficult and delicate, and as the Committee was sitting, he could not vote with the hon. Member.

Mr. LYON PLAYFAIR said, they must all agree that the motives underlying the Budget of Sir John Strachey were highly meritorious. He had seen enough of Famines in India to treat them as events that must occur, and that they were necessary to be met by insurance, which he calculated at £1,500,000 annually. The hon. Member for Cambridge (Mr. Smollett) had sneered at the Duke of Buckingham for listening to the teachings of science in relation to this famine. Although it was not established that famines in India came during the particular years when sun spots were not visible on the sun, still there was so much truth in the connection between the dull state of the sun and the diminished rainfall of different countries, that it was most important for the Government of India to give consideration to that in future. Out of the 22 great observatories of the world, in 18 the minimum rainfall coincided with the time when there were no spots on the sun. That was as true in Edinburgh as in Madras; it was as true at St. Petersburg as in Australia. It was, therefore, essential for the Government of India to take this into consideration in calculating as to when famines were likely to occur. The Secretary of State for India acted wisely in sending out a photographer to the Himalayas to take photographs of the sun; and, having seen those photographs, he was sorry to say that in none of them were sun spots to be detected. The converse was also true that excessive rain came in maximum sun-spot years; for these years indicated intense activity of the sun. In raising a Famine Fund, the various sources of taxation had to be brought into review. Sir John Strachey said he looked at tobacco, succession duty, and a tax on marriage; but he found that none would produce a sufficient sum. Then he looked at the income tax, which would have produced a sufficient sum; but it was so unpopular that he could not propose it. His (Mr. Lyon Playfair's) objection both to the licence tax on trades and to the increase of the salt tax was that they fell on persons inversely in proportion to their ability to pay them. The salt tax was, in the words of Sir John Strachey himself, a rude and barbarous tax. Salt was as necessary to life as air and water. They might get different kinds of food, but they could not escape from the necessity for air, water, and salt. The consequence was that the man who was poor paid as much as the man who was rich. Experience showed that each man required nine pounds of salt per annum. That was equal to 2 per cent on the income of the peasantry of India. Such an amount could not justly be called a small tax. It was a considerable tax. Hon. Members to-night argued that because the tax was only ½*d.* per lb. the people did not feel it. If that were true, why all the enormous precautions against smuggling? In the Madras Report of the Salt Commission, they read of towers built in the centre of manufactories to watch them by day, of all workmen being turned out at sunset, and of moats round the works patrolled by the police at night. They read of the miserable salt extracted from the earth being seized, and thousands punished for using this illicit salt. What did all this mean, if the population did not suffer from the high price of a necessary of life? Sir John Strachey, in his comprehensive speech, said it was not a large tax, and was in use in many countries, and was still larger in France. Let them see what the French economists thought of this tax. Buffon wrote—

> "That the salt tax was a law of proscription against the well-being of man and the health of animals. It was a law of misery against unborn generations."

That was the opinion of political economists in a country which Sir John Strachey quoted as an example. It had produced more insurrection, more misery, more heart-burning in France than any other kind of taxation. More than any other one thing, the salt tax was the cause of the Great Revolution in France. It must necessarily be a poll tax, not levied differentially according to the ability of the man to pay it, but one in which the poor man had to pay more than the rich man. For this reason—the rich man had various kinds of food, with various condiments and spices, and did not use so much salt as the poor man. The poor man lived largely on rice, and was in the same position as the Irishman once was with the potato. Men were obliged with starchy food to eat more salt than with any other kind of more generous food, such as a meat diet. Therefore, the tax fell more on the poor man than on the rich man. No one who knew the finance of India would say that the salt tax should at once be swept away. That was impossible. £6,000,000 out of £50,000,000 were derived from this tax, and it was acknowledged that to provide a substitute would be a matter of difficulty. The Resolution was only a condemnation of the increase of the tax. It was an expression of regret that in the famine-stricken districts of Madras and Bombay the tax should be raised in amount as was now done. It was raised 40 per cent in the poor districts, and reduced 4 per cent in the prosperous districts. If a man had a wall surrounding his property, and had one part high and another low, and intended to reduce it to a level condition, he would not build the wall to an equal height and then reduce it to a low level afterwards. That was what they were doing in India. Sir John Strachey said four Administrations had condemned this tax and desired its reduction. But, in spite of all these protestations, he found it continually accumulating. In Bombay, in 1840, this tax was 8 annas per maund. In the present year it would be 40 annas per maund, or 140*s.* per ton, as against 28*s.* per ton in 1840. The article itself was manufactured in India at 12*s.* 6*d.* per ton. Why did they not try reduction in the hope of the usual result following, that low price would increase consumption and thus maintain the revenue? In England the tax was abolished in 1823, and by 1840 its consumption augmented 470 per cent. [Mr. C. Beckett-Denison: That was an increase from manufactures.] The hon. Member for the West Riding was perfectly right; it was from manufactures, and that was what India should aim to attain. At present, her population was mainly agricultural, and they grew food only sufficient for their daily wants. A country in this position was, as Lord Lytton himself remarked, only a few degrees removed from barbarism. But this salt tax kept the country in that condition. Salt, either by itself, or its products, lay at the basis of most manufactures. It was required, converted into soda and bleaching powder, for cotton manufactures, which surely ought to be encouraged in India. It was required for soap, for glass, for pottery, for the extraction of metals from their ores. But none of these great industries, all suited to India, could grow with a tax of 140*s.* per ton upon salt. They were strangled in their infancy. Even the salting of food and the feeding of cattle were prevented. There were 400,000 of a fishing population in Madras, and their surplus fish must rot because it could not be salted. A few miserable attempts had been made, under intolerable restrictions, to liberate salt for fish curing, but they were contemptibly small. Labour in India was wonderfully cheap, and if there were no impediments to the growth of manufactures, they would grow luxuriant in the presence of cheap labour.

The Government of India wanted an insurance fund for famine, and they imposed taxation to provide it. The best insurance fund would be to create wealth by removing restrictions which rendered industrial development impossible. They as a nation were responsible for the future of India; and yet, by a system of rude and barbarous taxation, they arrested its progress.

Lord GEORGE HAMILTON said, that for the third time within the space of 10 weeks the attention of the House during a time of great general excitement had been directed towards the Indian Budget of 1878-9. The whole purport of this, as well as of preceding discussions, had been to question the propriety of the increased taxation proposed by the Indian Government. Of the assailants of this financial policy, the most formidable and vigorous had been the Proposer and Seconder of this Motion. Their intimate knowledge of Indian Finance had been exhausted in depicting in the gloomiest colours the injustice of certain portions of Sir John Strachey's Budget, and, no doubt, conscious that the duties of an Opposition were chiefly those of criticism, they had altogether ignored the purposes for which the taxation was imposed, as well as the comprehensive fiscal and administrative reforms coupled with it. The burden of proof, no doubt, rested on the shoulders of those who proposed fresh taxation. If it could be shown that these additional burdens were unnecessary, in consequence either of extravagance on the part of the Indian Government or on account of the unsound financial policy which had crushed or curtailed the existing sources of revenue, then he admitted the proposals of the Indian Government should not be sanctioned. But if, on the other hand, it could be shown both that the Indian Government had thrust upon them fresh duties and responsibilities, and that they had to perform fresh functions without increasing their expenditure, and that an increase of taxation was necessary from circumstances beyond their control, he thought it would be admitted that the whole aspect of the discussion would be greatly changed. He, therefore, proposed to state the circumstances which had rendered this taxation necessary, then to explain what Sir John Strachey's scheme was, and then he should endeavour to meet the criticisms to which it had been subjected. He would take this course in consequence of the tone which the debate had assumed. The right hon. Gentleman who had just sat down had strongly deprecated any increase in the salt duties, and anyone would gather from his remarks that the Indian Government was endeavouring to extract an increased salt tax throughout India. Exactly the reverse was the case. The object of the Indian Government was to equalize the differential duties throughout India, to remove the Customs' lines, and give the people as cheap and as abundant a supply of salt as was compatible with the financial requirements of the Indian Government. He would ask the House to look back for five years. It was in 1873-4 that the abolition of the income tax was demanded, and, for the present, he would exclude all account of the money advanced for works extraordinary. Lord Mayo had succeeded in effecting more than an equilibrium in the Income and Expenditure, and Lord Northbrook abolished that which three years before brought in some £2,000,000. No one could dispute that the income tax was just in theory; but, on the other hand, no one could dispute that it was most unpopular. The peculiar circumstances which led to the abolition of the tax had rendered its re-imposition a matter of great difficulty. Notwithstanding its abolition, the Revenue so increased that there would have been a surplus of £2,000,000 if the Famine had not broken out in Bengal. From that moment until now, however, the Indian Government never was able to shake off the terrible scourge of famine, and to meet the scarcity of the last five years. The Debt had been increased by about £16,000,000, and the interest on that at 4 per cent was about £620,000. Then, a very large portion of the disbursements of India had been made in this country in gold; and, although the House would scarcely believe it, the difference between the loss through exchange in 1873-4 and 1878-9 was £2,000,000. But there was another charge over which the Indian Government had no control. Lord Cardwell was careful to state, when he introduced his Army Reforms, that he believed no additional charges would fall on the Indian Revenue in consequence of the proposed re-organization. He did not think those hopes had been realized, and he calculated the increase which they had to pay under this head in the last five years was about £400,000. Taking, therefore, the famine charges, the losses caused by the fall of silver, and the increased home military charges, they had an increased expenditure to bear since 1873-4 of over £3,000,000, and which was quite outside their command. Now, the whole of this enormous increase to their annual expenditure had been met out of the ordinary revenue without a single farthing of additional taxation; but it had absorbed the whole of the annual surplus, which until last year was about £2,000,000, as well as the annual increment of the revenue and the increased receipts from the guaranteed railways. With the exception of the charges referred to, the Indian Government had, notwithstanding the almost daily assumption of fresh duties, responsibilities, and functions, kept down its administrative expenditure; but this feat did not seem to entitle them to any praise from their present critics. At the commencement of last year, therefore, the Revenue and Expenditure of India were barely balanced when Sir John Strachey became Finance Minister. Two courses were open to him. He might have done nothing to improve his revenue, simply trusting to some lucky windfall. If he had taken that course, he might have spared the people of India fresh taxation; but, undoubtedly, he could not have effectually saved their lives if another famine had occurred. Of all the onerous duties undertaken for the welfare of the Native populations of India by the British Government, none had been more dwelt upon and more enforced by public opinion in these Islands than the absolute necessity of preventing the wholesale starvation of their fellow-subjects from famine. That House would never tolerate for one moment the state of things now existing in the coterminous Empire of China; where, from the impotence and impecuniosity of the Administration, the people were dying by millions from starvation. But to effectually cure famine in India something more was required than a mere increase of revenue. Famine was usually produced by drought, and the two material agencies by which the consequences of drought could be best averted were irrigation and railways. But these works hitherto had been only constructed out of loans raised on the security of the Imperial Revenues, and the local Governments had no power to raise funds for this purpose or to control the works when constructed. Moreover, should a famine occur in any locality from insufficiency of food, the central Government found the money to buy food and the local Government spent it. Inevitable friction ensued at the supreme moment when all should have heartily co-operated; for the local Government, principally anxious for the condition of its own people, were apt to be somewhat indiscriminate in their almsgiving; the Supreme Government, on the other hand, being alone responsible for the outlay, was somewhat rigid in its enforcement of economy. To apply, as far as was possible, the sound principles of local self-government by localizing financial responsibility and expanding local resources so as to make each Government primarily responsible for the maintenance of its own people, was the most difficult but necessary part of the work of the Indian Government. This could only be effected by giving each local Government more control both over its expenditure and income, especially in that relating to works likely to avert famine, an interest in economical administration, and a share in the annual growth of its own revenue. But something more was required. No one had ever attempted to defend the salt tax as it was at present, with its arbitrary inequalities, and the costly and lengthy inland Customs' line for its enforcement. To equalize the salt duties, sweep away the inland Customs' line, and to give the people of India uniformly as cheap and as abundant a supply of salt as was consistent with the financial exigencies of the Government, had been the wish of four successive Governments. He claimed on behalf of Lord Lytton and Sir John Strachey that they had had the courage, the skill, and the statesmanship, to combine all these objects in their financial policy this year; and that, although there might be inequalities and objections to certain portions of their Budget, as there must always be to any increase of taxation, yet he would show that they had contrived to give India a sufficient surplus, coupling this increase of taxation with the establishment of sound administrative and financial principles, capable hereafter of almost indefinite expansion. The famine expenditure of the last five years being £16,000,000, Sir John Strachey declared that he must, for famine purposes alone, have an annual surplus of £1,500,000, to be applied to the reduction of debt, which he appropriately called a Famine Insurance Fund. As the sources of some of the branches of the Indian Revenue were somewhat fluctuating, it had been an invariable rule of late to provide, if possible, for a surplus of £500,000. The Revenue had, therefore, to be improved by £2,000,000. How was this to be obtained? The income tax was not available, for the peculiar circumstances of its abolition rendered its re-imposition at that moment practically impossible. By a simple but masterly extension of the principle of decentralization, and by handing over to the local Governments control over certain services and revenues, and, above all, over reproductive works built for the benefit of the locality, Sir John Strachey effected an improvement in his Estimates of £400,000. By this he did not mean that certain taxes were transferred from the collectors of the central Government to the local. He meant, that by simply re-adjusting the relations between the local and central Governments, £400,000 was saved. £1,600,000 remained to be obtained. The taxable classes in India might roughly be divided into agricultural and non-agricultural. Now, it was notorious that since the abolition of the income tax, the latter had not contributed their fair share of taxation. Sir John Strachey proposed to apply to the whole of India, including Bombay and Madras, a licence tax, to be levied upon the mercantile and commercial classes. An Act of this kind was last year passed in the North-West Provinces, and had worked well and had given little dissatisfaction. The Act of this year was very similar, and it was estimated would bring in £675,000. To make the agricultural classes contribute their share towards the Famine Insurance Fund was but fair, as they chiefly were the class in time of scarcity to be maintained. A small land cess last year was raised in Lower Bengal for this purpose, and collected without any difficulty. It was proposed to extend it to the whole Presidency of Bengal, but not to Madras and Bombay, and it would bring in about £425,000. This, with the licence tax of £675,000, and the saving of £400,000 in decentralization, would give Sir John Strachey £1,500,000 surplus. There still remained £500,000 to be got. The increment of the revenue might be put at £200,000, leaving £300,000, which was to be obtained in the following ingenious manner:—The equalization of the salt duties had hitherto been stopped by the immense difference between the duties levied in different parts of India. An anna was 1½*d.*, and a maund 82lb. The duties in Madras and Bombay were 29 annas per maund; in the Punjab and North-West, 48 annas; in Lower Bengal, 52 annas. To lower the duties to the Madras and Bombay level would cause a large financial loss, and it would have been quite impossible for Sir John Strachey to propose heavy new taxation, and, at the same time, to reduce largely his existing sources of Revenue. To raise the salt duties of Lower India to the Bengal level would be equally impolitic, for it would have involved a heavy increase of duty upon a necessary of life. Sir John Strachey boldly suggested a third course, and rendered it practicable by a simple but very ingenious arrangement. He had ascertained that a uniform rate throughout India of 40 annas a-maund would secure to him his present salt revenue, and enable him to sweep away the whole inner Customs' line and its attendant abominations. Now, a uniform rate of 2 rupees 8 annas, or 40 annas, per maund, would involve an increase of 11 annas, duty on Madras and Bombay, a reduction of 12 annas in Lower Bengal, and of 8 annas in the North-West Provinces. The incidence of the tax would then be as follows:—On 45,000,000 of people there would be an increase of 11 annas; on 70,000,000 there would be a decrease of 8 annas, and on another 70,000,000 a decrease of 12 annas. [Sir GEORGE CAMPBELL: When?] When these arrangements were completed. There was not a single Viceroy during the last 10 years who had not expressed a wish to do something towards this equalization, and Lord Northbrook took substantial steps towards the attainment of that object. But, without increasing the duty in Bombay and Madras, it was quite impossible to accomplish this great reform.

The increased taxation imposed upon Upper India had mainly been due to the inability of the minor Presidencies to support themselves during the past two years of scarcity. They had been purposely excepted from the land cess imposed upon Upper Bengal, in order that by bearing taxation in another form—namely, an increase to the salt duties—they might contribute towards the realization of that fiscal reform, the abolition of the inland Customs' line and the equalization of the salt duties; the object, however, being not to increase the annual revenue derived from salt. Sir John Strachey applied a certain portion of the increased duty obtained from Southern India to a reduction of the duties in Northern India, thus giving a guarantee that the Government were sincere in their wish to equalize the duties, and that the raising of the duty in Madras and Bombay was not a mere pretext for obtaining more revenue from salt. The increased revenue to be obtained from Madras and Bombay would be £500,000, of which £200,000 was absorbed in reducing the duties in Northern India; the remainder gave Sir John Strachey his required surplus of £2,000,000. He claimed, with some justice, for the scheme he had unfolded, that it was comprehensive and statesmanlike. The House would now be the best judge of that claim. But the scheme was so nicely balanced, that if they were to veto one part of it they would overthrow its whole equilibrium. What they, therefore, had to decide was this—was the scheme, as a whole, worthy of support, and could he, on behalf of the Indian Government, give satisfactory assurance that those parts of the scheme which might seem objectionable should be so carefully watched by the Indian Government as to prevent their pressing heavily upon the lower classes or in any way affecting life or health? He had abstained from answering the speeches made by the opponents of the scheme; but he would now take each Resolution by itself. The first was to the effect that the House regretted that the people of Madras and Bombay should be burdened with the increased salt duty which had been recently imposed upon them, and was of opinion that such increase would be unnecessary if the finances of India were administered with greater economy. Well, if the salt duty was imposed for any other purpose than that of obtaining the great fiscal reform of which he had spoken, then he admitted that the passing of that Resolution would be justified; but it was not. The object of obtaining the £300,000 was the reduction of the duty in Northern India, so that it had nothing to do with the financial exigences of the Government. The latter part of the Resolution might be applied to the expenditure of any country; but it was only fair to remember, when the Indian Government was charged with want of economy, that during the last five years they had effected a saving of £1,500,000 in the Civil Service, and their military expenditure had been but slightly increased. He did not, therefore, think, after the explanation he had made, the House of Commons would be inclined to adopt the latter part of the Resolution. Then, as to the second Resolution, which said that the House, while admitting the expediency of creating a fund in India for the relief of Famines, objected to the trades licence tax, which would alone be imposed on those engaged in business, and would fall upon small traders and artizans with undue severity, he confessed that there was a certain amount of justice and fairness in the criticism. No one admitted that fact more candidly than did Sir John Strachey, as hon. Members would see by his second Statement, which would soon be in the hands of hon. Members. The House would, however, remember that there was no alternative between the income tax and the licence tax, and he could not think that they would take upon themselves the responsibility of forcing the Government of India to impose the income tax on the people of India. He thought, however, that good might come from the agitation against the licence duty, because it would possibly result in the re-imposition of the income tax. However that might be, Sir John Strachey assured the Government the incidence of the duty would be most closely watched. If the inhabitants of Bombay were as anxious as, judging from their Petition they were, to have an income tax substituted for the licence tax, he had no doubt that Lord Lytton and Sir John Strachey would be happy to accommodate them. The third Resolution of the hon. Member for Hackney related to the manner in which funds created for the relief of Famine were to be applied. On that head of the subject, he might ask to be excused from speaking, on the ground that a Committee, now sitting upstairs, had the whole question in hand; but the point was so clear that he might venture to say a few words upon it. For some years past, the Indian Government had borrowed money for railway and irrigation works; but the loans did not impose any additional charges upon the revenues of India. They were merely additions to the capital account; and in this country there was an addition of 3½ per cent to the railway capital, which showed that the undertakings were sufficiently prosperous to enable the companies to work at a cheap rate. It was proposed in future to divide the Debt of India into productive and unproductive classes —the first being money borrowed for railway and irrigation and other works which earned an income, and the second being funds borrowed for war purposes and the relief of famine. The interest of the first-named moneys would be charged against the current receipts from the works; the profits derived from the old works would, it was believed, be sufficient to pay the interest on that branch of the Debt, and the whole surplus revenues of the year would be used for the purpose of paying the interest on, and gradually redeeming, the unproductive debt. On the whole, he thought the House would agree with him that the Resolutions of the hon. Member for Hackney were drawn in too abstract a form, and were too hostile to Sir John Strachey's whole scheme, to meet with general approval. The Indian Government had, during the past five years, undertaken responsibilities greater than had ever fallen upon any of their predecessors, and it was absolutely necessary that their revenues should be increased. With regard to the fears expressed by the right hon. Gentleman the Member for the University of Edinburgh (Mr. Lyon Playfair) lest the increase of the salt tax should decrease the consumption of the article in the Presidencies affected, inquiries would be made; and if it was found that the consumption of the article had decreased and the health of the people was affected injuriously thereby, the attention of the Indian Government would be directed to the point, in order that steps might be taken to counteract the evil. One of the greatest dangers to which Indian Finance was subject was the increased charges on loans contracted in this country. There was a strong temptation to the Indian Government to contract loans in England, owing to the advantages which they gained through the difference in the exchanges; but the interest on the loans so contracted had subsequently to be obtained from India, and the system had the effect of establishing in India a false surplus at the expense of future years. Sir John Strachey's arrangement was to have the whole money provided without borrowing in England, although they expected to lose £3,000,000 on the exchange transfers. Now, that there were certain inequalities in the proposed taxation he did not deny; but he could undertake that their incidence would be closely watched, and, if necessary, remedied. But the real question before the House was, whether the scheme of Sir John Strachey was worthy their support as a whole, or whether it should be overthrown by the adoption of vague Resolutions? That it was worthy of support he thought he had proved, and to nobody would he more confidently recommend it than to the British House of Commons. No one could dispute that during the last 35 years an enormous improvement had occurred in the prosperity of this country. Various influences had contributed to that result; but the two most potent instruments had been generated by that House, by the application of sound principles to the administration of the Poor Law, and by the adoption of a wise fiscal and financial policy. The instrument by which the latter had been carried out had undoubtedly been the annual imposition of an income tax. If objections such as they had heard that evening had prevailed against the imposition of that tax, the present condition of the trade and commerce of this country would be widely different. By an agitation, in which the hon. Member for Hackney largely participated, the Indian Government had been deprived of the use of that tax. If they were still able to use it, they would not have advocated the taxes under discussion. The Indian Government, after full and anxious deliberation, brought forward the most practicable and least unpopular substitute for the income tax; and they distinctly said that, if their proposals were not overthrown, they would apply to India, as far as they could, the local, administrative, and financial policies which had during the last half-century conferred upon these islands such inestimable benefits. If the House would take into consideration the facts he had recapitulated, and would impartially weigh the scheme now before them, he felt confident that, by a substantial majority of hon. Members on both sides of the House, it would decline to censure or condemn the wise, comprehensive, and statesmanlike financial policy recently introduced by Sir John Strachey.

General Sir GEORGE BALFOUR pointed out, that it was the annual progress of the Indian Civil Expenditure which required the serious attention of the House of Commons. The statement lately made by the Finance Minister of India of a large increase within the last 10 years of the purely Civil charges was entirely incorrect. There were figures to show that, so far from this Civil Expenditure in India having been reduced by £1,500,000, it had been considerably increased. Within the last 10 years—taking the figures in the accounts as usually exhibiting the Administration charges at £11,124,383 in 1867-8—then the like figures in 1875-6 showed a total of £13,249,381; and these sums excluded loss by exchange and the outlay on famine relief. He also contended that, although the military expenditure was excessive, yet it was the only class of expenditure which had been reduced within the last 10 years. As to the salt duties, the noble Lord who had just spoken, might satisfy himself from Papers in his own Office, that the increased tax upon salt in Madras had very considerably diminished its consumption. The population had largely increased since 1852-3, and yet the consumption of salt had not shown any extended consumption. In that year the selling price was 1 rupee a-maund, and the net revenue from salt was about £432,000. At present, with the selling price at 2 rupees a-maund, the net revenue was only £1,166,000; whereas, in proportion to the increase in the population from 22,000,000 to 31,000,000, the augmented revenue ought to have been far greater with the doubled price. No part of India yielded so large a surplus revenue as Madras, and yet it was the portion of India which secured the least consideration from the Government of India. But with the state of impatience of the House to take a division, he would not further enlarge on the ill-treatment Madras received.

Mr. FAWCETT said, it would be necessary for him to trouble the House with two divisions, one on each of the first two Resolutions. His right hon. Friend the Member for Tiverton had said he should vote for the second Resolution, but that he could not vote for the first; whilst several other Members had said in the course of the debate that they could vote for one of the Resolutions and not for the other. In regard to the third Resolution, he would, in deference to what had been said by the Under Secretary as to its traversing the opinion of the Select Committee on the subject, not press that Resolution to a division, but be content with the decision of the House on the first two.

Question put.

The House *divided*:—Ayes 87; Noes 163: Majority 76.—(Div. List No. 93.)

Motion made, and Question put,

"That this House, whilst admitting the expediency of creating a fund in India for the relief of famines, objects to the Trades Licence Tax, which will alone be imposed on those engaged in business, and will moreover fall upon small traders and artizans with undue severity."—(*Mr. Fawcett.*)

The House *divided*:—Ayes 96; Noes 159: Majority 63.—(Div. List, No. 94.)

Mr. FAWCETT said, he would not divide on the third Resolution.

MONUMENTS (METROPOLIS) (NO. 2) BILL.

On Motion of Sir James M'Garel-Hogg, Bill for conferring powers upon the Metropolitan Board of Works with respect to the Obelisk known as Cleopatra's Needle, and other Monuments, *ordered* to be brought in by Sir James M'Garel-Hogg, Sir Charles Russell, and Mr. Forsyth.

Bill *presented*, and read the first time. [Bill 140.]

BOROUGH FRANCHISE (IRELAND) BILL.

On Motion of Mr. Meldon, Bill to extend the Borough Franchise in Ireland, *ordered* to be brought in by Mr. Meldon, Mr. Butt, Mr. Gray, and Mr. Maurice Brooks.

LOCAL COURTS OF BANKRUPTCY (IRELAND) BILL.

On Motion of Mr. Attorney General for Ireland, Bill for the establishment of Local Courts of Bankruptcy in Ireland, *ordered* to be brought in by Mr. Attorney General for Ireland and Mr. James Lowther.

PARLIAMENTARY AND MUNICIPAL ELECTIONS (HOURS OF POLLING).

NOMINATION OF SELECT COMMITTEE.

Sir Henry Selwin-Ibbetson, Mr. William Edward Forster, Mr. Tennant, Mr. Henry Samuelson, Sir William Cuninghame, Dr. Cameron, Mr. Charles Lewis, Mr. Cotes, Mr. Marten, and Mr. Barran nominated Members of the Select Committee on Parliamentary and Municipal Elections (Hours of Polling).

Motion made, and Question proposed, "That Mr. Halsey be one other Member of the Committee."

Sir CHARLES W. DILKE suggested that, as the matter was one affecting boroughs, the Committee should be composed of borough Members only, with the exception of the hon. Baronet who had moved its appointment. There were a large number of hon. Members on the Committee of last year who were not amongst those now proposed; and he thought there would be no difficulty in getting one of them to serve in the place of the hon. Member for Hertfordshire (Mr. Halsey).

Sir HENRY SELWIN-IBBETSON observed, that, although an hon. Member was returned for a county, it did not follow that he did not represent many large boroughs in that constituency, and that he had not as much reason to be heard on the question at issue as borough Members proper. As the Committee stood on the Paper, he believed it would fairly represent the opinions of the constituencies which would be affected by the change proposed, and that it was a very fair Committee for the purpose for which it was intended.

Mr. CHAMBERLAIN, as one of the Representatives of a large constituency, demurred to the doctrine just laid down by the hon. Baronet the Secretary to the Treasury. The question was one which had a special interest for the large constituencies, not only because, under the present system, great numbers of the electors were disfranchised, but because a considerable expense for polling-booths, &c., was involved on account of the limited time which the working men had for voting. He was surprised to find that on this Committee such great constituencies as Liverpool, Edinburgh, Bristol, and Newcastle-on-Tyne were absolutely unrepresented. On the other hand, he found that the borough of Leeds had two Representatives, and that there were a good number of hon. Members on the Committee representing counties and small boroughs. He ventured to suggest that, if it was considered undesirable to strike off any names, the Members of the Committee should be slightly increased in order to obtain a fuller representation of the interests specially affected.

Sir WILLIAM HART DYKE said, it would be in the recollection of the House that some time ago a very strong protest was made against the names of hon. Members being put upon more than one Committee at a time; and he gave a pledge that, in future, as far as he had anything to do with the formation of Committees, he would endeavour, as much as possible, to select those Gentlemen who were not sitting on other Committees. It was with a view to carry out this arrangment that he asked the hon. Member for Hertfordshire (Mr. Halsey) to serve on this Committee. It was the easiest thing possible to find fault with the constitution of Committees, but hon. Members forgot how difficult it was to form a Committee. At the beginning of a Session the most capable Members were at once chosen to sit on Committees, and, as the Session advanced, of course the area of selection was very much narrowed. Now, the hon. Member for Hertfordshire was a Gentleman perfectly capable of serving on this particular Committee, although he was a county Member; and he should, therefore, ask the House to support the nomination.

Sir HENRY JAMES admitted that there was a difficulty in forming Committees, and he did not deny the fitness of the hon. Member for Hertfordshire to serve on Committees. But that was not the question which had been raised in this discussion. The Committee was about to be appointed to inquire into the desirability, or not, of extending the hours of polling in large towns; and, as he understood, the objection was, that they ought not to put the Representatives of counties—small counties—on such a Committee, but they ought to have Members who represented towns where there were large numbers of the working classes who would be affected by the change. Local knowledge of the requirements of large towns was what was required on this Committee, but they had no Representatives on it from such large constituencies as Birmingham, Manchester, and Liverpool. Therefore, if a division was taken, it would not be on the question of the fitness of the hon. Member for Hertfordshire to serve on the Committee, but as to whether the large towns ought not to be represented in preference to the counties.

Mr. DILLWYN understood that some of the Gentlemen who served on this Committee last year were desirous of again being nominated; and, therefore, he did not see why the Committee of last year should not be re-appointed this Session. If, however, that was not to be done, he hoped the Government would re-consider this matter, and substitute another name for that of the hon. Member for Hertfordshire. Of course, the objection to his name was not a personal one; but it was desirable that, as a county Member, he should give way to some one who represented a large borough constituency.

Mr. J. LOWTHER, in reply to the remark that the Representatives of large towns had been excluded from this Committee, pointed out that such was not the case; because they would find on the Committee the two hon. Members for Leeds (Mr. Tennant and Mr. Barran), the right hon. Member for Bradford (Mr. W. E. Forster), and the hon. Member for Glasgow (Dr. Cameron), none of which places could be called small or unimportant.

Mr. MUNDELLA said, while it was true Bradford, Leeds, and Glasgow were represented on the Committee, it was equally true that Manchester, Sheffield, Birmingham, Bristol, Newcastle, and other large towns were not represented. In his constituency there were 40,000 electors; and, having been on the Committee of last year, he knew there was no question more interesting to the working classes than that of the extension of the hours of polling. Nobody seemed to have been consulted about putting the Representatives of the large towns on the Committee; and, in his opinion, the names of those now before the House ought either to be added to, or borough Members substituted, for those who represented counties, or small towns.

Mr. RAIKES said, as this Committee was not to be re-constituted in the form it was last year, it was necessary to add some new Members to it; and he hoped that in doing that the House would not lay down the dangerous doctrine, that because this question was one which affected the large towns, therefore the Committee ought only to be formed of Representatives from such towns. As had just been pointed out by his right hon. Friend the Chief Secretary for Ireland, there were already on the Committee Representatives of some of the large borough constituencies, and nothing would be more dangerous than to establish the rule that the Representatives of counties or small towns were to be excluded.

Mr. P. MARTIN pointed out that the scope of the inquiry of the Committee was not limited to an extension of the hours of polling in large boroughs, but in all boroughs. No doubt, if the inquiry had been limited to the large towns, it might have been desirable to have had more hon. Members from those boroughs on the Committee; but, as the inquiry extended to all towns, he thought the composition of the Committee a very fair one.

Mr. YEAMAN complained that there were only two Scotch Members on the Committee.

Question put, and *agreed to.*

Mr. Burt, Mr. Mills, Mr. Moore, and Mr. Isaac nominated other Members of the Committee:—Power to send for persons, papers, and records; Five to be the quorum.

Sir CHARLES W. DILKE gave Notice that he should move to add to the number of the Committee.

ORDERS OF THE DAY.

IRISH CHURCH ACT (1869) AMENDMENT BILL—[Bill 116.]

(*Mr. Parnell, Mr. Fay.*)

SECOND READING.

Order for Second Reading read.

Mr. PARNELL, in moving that the Bill be now read a second time, said, that he had endeavoured to meet the objections which were made to the measure as it was framed last year, and, therefore, he hoped the Government would allow it to pass.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Parnell.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, the Bill had been slightly modified since last year; but, even in its present shape, it was open to the substantial objection then taken. Under the arrangements which were made in the Irish Church Act for the sale of the lands of the occupying tenants, a very considerable number was already disposed of—from two-thirds to three-fourths; but he had not the figures then with him—to the occupying tenants—and it was rather a startling proposition to bring in a Bill like this to deal with the remainder under entirely new conditions.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 3rd April, 1878.

MINUTES.]—NEW WRIT ISSUED—*For* Northumberland County (Southern Division), *v.* Lord Eslington, now Earl of Ravensworth.

PUBLIC BILLS—*First Reading*—Borough Franchise (Ireland) * [141].

Second Reading—Vaccination Law (Penalties) [74], *put off;* Hypothec (Scotland) (No. 3) [101], *debate adjourned.*

QUESTIONS.

THE EASTERN QUESTION—THE PROPOSED PRELIMINARY CONFERENCE.

NOTICE OF QUESTION.

MR. GLADSTONE: Sir, I wish to give Notice that to-morrow I intend to ask Her Majesty's Government a Question in addition to that of which I gave Notice yesterday. It is to ask, with respect to the proposal of Germany on the 15th of March that a preliminary Conference should be held at Berlin to settle the course of procedure in the Congress, Whether the refusal of Her Majesty's Government on the following day to discuss that proposal, so far as the point in dispute was concerned, is to be considered as absolute; and, if so, whether they can conveniently state the reason of that refusal?

THE EASTERN QUESTION—THE CONFERENCE—RUSSIA AND BESSARABIA.

QUESTION.

SIR H. DRUMMOND WOLFF: Sir, I beg to ask my hon. Friend the Under Secretary of State for Foreign Affairs a Question of which I have given him private Notice. It is, Whether any answer has been received to the telegraphic despatch sent to Her Majesty's Ambassador at Vienna (Sir Henry Elliot), asking him if he was at liberty to give the name of the authority who stated that Prince Gortchakoff would not submit the proposal for the retrocession of Bessarabia by Roumania to the Conference or Congress, and whether he is able now to give the name of the "trustworthy authority," the informant?

MR. BOURKE: Sir, in reply to the Question of my hon. Friend, I have to state that we have received an answer to the telegram sent yesterday on the subject referred to; and, in consequence of that telegram, I am able now to state that the trustworthy authority alluded to was the Roumanian agent at Vienna.

MR. JOHN BRIGHT: Will the hon. Gentleman state whether that was the agent to whom the declaration was made at St. Petersburg?

MR. BOURKE: It was not.

MR. JOHN BRIGHT: Then he is an intermediary?

MR. BOURKE: The right hon. Gentleman must have forgotten the despatch. It said, "a trustworthy person." The Roumanian agent at St. Petersburg had been informed of it by Prince Gortchakoff, but the trustworthy person referred to was the Roumanian agent at Vienna.

MR. GLADSTONE: Is it known how the Roumanian agent at Vienna got his information? Was it from the Roumanian agent at St. Petersburg?

Mr. BOURKE: That I am unable to state, because it is not in the telegram we have received; but if the right hon. Gentleman desires further information, I dare say I shall be able to give it tomorrow.

ORDERS OF THE DAY.

VACCINATION LAW (PENALTIES) BILL.

(*Mr. Pease, Mr. Walter James, Mr. Mundella, Mr. Leeman.*)

[BILL 74.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Pease.*)

Mr. SCLATER-BOOTH said, he had been rather taken by surprise, as the hon. and learned Member for Leeds (Mr. Wheelhouse) was not in his place to move the Amendment of which he had given Notice—that the Bill should be read a second time on that day six months; and the hon. Member who had charge of the Bill had moved the second reading without offering any arguments in support of it. He supposed the Bill now rested upon the arguments of former years, and he (Mr. Sclater-Booth), on the last occasion when the subject was before the House in the preceding Session, frankly stated at considerable length the views and feelings of Her Majesty's Government on the question. There was no doubt a time when the subject of vaccination occasioned great excitement, but that excitement had to a great extent subsided. It was not his intention to enter into the general question of vaccination, because he assumed that the mind of the House and of the great mass of the people of the country was made up in respect of it; but he would address himself briefly to the subject of the Bill which the hon. Member opposite had, and not for the first time, submitted to the consideration of the House. It dealt with the subject of cumulative penalties for non-vaccination, and with the question whether there ought to be a limit to the number of prosecutions to which a person not observing the law should be subject? It was founded on the Report of a Select Committee which sat in 1871. In that same year, a Bill passed though the House to limit these penalties, but it was lost by a narrow majority in the House of Lords. When the Bill was brought in the next year it came on late on a Wednesday, and was "talked out;" but it was noteworthy that on that occasion several Members of the Select Committee admitted that they considered themselves to have been in error when they assented to that recommendation, and declined to support the Bill of the hon. Member. Since the Report of that Select Committee, Parliament had passed an Act amending the law, while an Association which had been formed to oppose compulsory vaccination was understood to provide the means of paying the penalties awarded against offenders. If the limitation of penalties in the case of conscientious objectors was the only object to be attained, he would not have so much to say; but he feared that a vast number of persons who did not object to vaccination, *per se*, but who found it onerous to have their children vaccinated because of the distance from the medical officers' stations, would take advantage of the Bill and object to vaccination and avail themselves of the services of the Association. If the Bill passed into law, sufficient means would be provided by that Society to pay the penalties imposed upon poor people, and thus the law would be practically evaded with comparative impunity, to the great danger of the community in which they resided. It was, therefore, impossible for him to assent to the second reading of the Bill without qualification, or, indeed, at all. During last year there was a decreasing tendency to carry on those prosecutions, and, so far as he could form a judgment, they mainly arose out of some well-known cases of the previous 12 months. He should like to see those prosecutions still further diminish; and he had been so anxious that no mistake should be made as to the wishes of the Local Government Board on the question of repeated prosecutions that, in 1875, he caused a circular to be addressed to Boards of Guardians on the subject, recommending that great care should be exercised before taking proceedings, and that some discrimination should be used in the selection of cases to be prosecuted. That circular had produced a great diminution of those cases. He did not deny that there were well-known cases in which persons had been repeatedly prosecuted; but, on the whole, he felt bound to defend the Boards of Guardians, who had seldom exercised the powers confided to them by the Act unless the whole board were unanimous. The case of a man named Abel, who had been prosecuted a number of times, was a somewhat singular one, and, as it had been mentioned in the House, he would state some facts in illustration of it. A resident at Faringdon went to London to see his daughter, who was suffering from small-pox, and took the infection back with him. A number of cases broke out, and there were five deaths. The Board of Guardians, who had been frequently called to account for their repeated prosecutions of Mr. Abel, naturally relied on their experience in justification of their policy. If Abel were a man who had prejudices, or conscientious scruples, he was also one of the officers of the Anti-Vaccination Society, and his motives were therefore somewhat questionable. [Mr. JOHN BRIGHT: Were those persons vaccinated?] Some were and some were not. So far as he had been able to form a judgment, very few persons now objected to vaccination, and he did not think that the number had increased in late years; and, therefore, he thought there was no real necessity for this Bill, and that it ought not to be adopted by Parliament. By the Act, passed in 1875, Guardians could exercise a discretion in reference to repeated prosecutions, and the vaccination officers were directed, in cases of repeated refusals, to report them to the Guardians; and his opinion was, that these matters should be left to the local authorities, they knowing that it was the desire of the Legislature that all children should be vaccinated. He had given the subject much consideration, and had received many suggestions in reference to it; but while he would be in favour of limiting the number of prosecutions and penalties, if it could be done consistently with the carrying out of the law, he was bound to say he had seen no plan which, in his opinion, was likely to effect the object safely. He had not found that repeated prosecutions had increased in number, or that any new cases had been recently undertaken. With regard to the 31st section of the Act, he would be glad that it should be made clear that Boards of Guardians and magistrates were entrusted with a discretion—the Guardians as to the institution of prosecutions, and the justices as to the infliction of penalties. Magistrates should, if they pleased, order cases to stand over, as in other offences they could, even when the parties were guilty, under recognizances to appear if called upon. If that could be made more clear, he would not be in favour of interfering with the exercise of that discretion. These cases were, in fact, exactly of that character which must be left to the local authority. He could see no way in which his Department could usefully interfere with the Act of Parliament, or become a Court of Appeal; and he deprecated any interference with a law which, on the whole, had worked well. The matter should be left to those in the country who had to deal with the public health, and who had to carry out those duties which Parliament had placed upon them. The cases which the Bill was intended to meet were not very numerous. He found, that in a period of three or four years, referred to by the hon. Gentleman (Mr. Pease) in his speech last year, there had been repeated prosecutions three times in some 33 or 34 cases; but, within that same period of time, there had been 3,000,000 successful cases of vaccination. The reason why they were so few, and that they had been from time to time brought under the notice of the House, was that they usually referred to the same persons, most of whom were known to be agitators on the subject. In the absence of his hon. and learned Friend the Member for Leeds, he had been obliged to answer the hon. Member for South Durham's (Mr. Pease) speech before he made it to the House, and, consequently, he was placed in a difficult position. He should be glad if the difficulty of repeated prosecutions could be got over with or without further inquiry; but he could not consent to the Bill being sent to a Select Committee.

MR. PEASE said, it would, perhaps, be consulting the convenience of the House, if he at at once stated his reasons for asking the House to read the Bill a second time. The right hon. Gentleman opposite (Mr. Sclater-Booth), whom he had to thank for the courtesy with which he had received the communications on this subject — and they were not few—with which he had had to trouble him, expressed his apprehension that if the Bill passed, the law would be evaded by poor people, who would have the penalties imposed on them, paid for them. He could not think that such would be the case. The poor would be more likely to be deterred by the imposition of fines, and the rich, by the payment of penalties, would avoid the vaccination of their children. For his part, he had, personally, no fault to find with the Vaccination Laws, and he had himself been vaccinated four or five times. The right hon. Gentleman further feared that if the Bill were passed it would place in the hands of the Association a weapon for further opposing vaccination. He knew nothing of the Association. It had deluged him with figures and papers; but all he could learn was, that his Bill did not meet with any favour by the Association, because it admitted the principle of a fine, although it was to limit the prosecutions and the fines to two convictions. Under the present law, a rich man could pay any number of fines, while a poor man could not do so, but must go to prison. The Vaccination Acts had been much before Parliament. In 1840, an Act was passed to enable the fees to be paid out of public funds in certain cases, but leaving the adoption of the remedy to individual action. In 1853 vaccination was made compulsory on all infants; but the fine for its not being done was 20*s*., and it was limited to a single penalty. In 1858 an Act was passed, for one year, for the purpose of aiding in obtaining duly qualified vaccinators and a good supply of lymph; and in 1859 that Act was made perpetual, saving one clause dealing with the institution of proceedings. In 1861 another Act was passed, empowering Guardians and overseers to take proceedings in certain cases of neglect; and then, in 1867, another—a Consolidating Act—was passed, which came into operation on the 1st of January, 1868, and which Act he now proposed to amend. That Act was not in force more than three years before there was a great outcry against its provisions in many parts of the country. In 1871 a Select Committee was appointed, consisting of Mr. W. E. Forster (Bradford), Mr. Stephen Cave (Shoreham), Mr. Candlish (Sunderland), Mr. W. H. Smith (Westminster), Mr. Muntz (Birmingham), Lord Robert Montagu (Westmeath), Mr. Jacob Bright (Manchester), Sir Smith Child (West Staffordshire), Mr. Lyon Playfair (Edinburgh University), Mr. Holt (North-East Lancashire), Mr. P. A. Taylor (Leicester), Sir Dominic Corrigan (Dublin), Dr. Brewer (Colchester), Mr. Alderman Carter (Leeds), and Mr. Hibbert (Oldham); and on the 12th of June of the same year, the right hon. Member for Bradford brought in a Bill to amend the Act of 1867, founded on their Report. What was the state of the law at that time as regarded penalties? From the evidence given by Mr. Danby Fry, before the Committee, it appeared to be as follows:—

"Q. 3,829. Will you state to the Committee, first, what the law was, under the Act of 1853, with regard to the penalties on parents for not having their children vaccinated?—A. The Act of 1853 was the first Act that made vaccination compulsory, and in that Act it was provided that the parent or the person having the custody of the child, after receiving notice from the Registrar, was bound to have the child vaccinated, and, if he failed to do so, he was liable to a penalty not exceeding 20*s*. He was also liable to a similar penalty if he failed to take the child for inspection after vaccination; and, perhaps, I should state that it was held by the Court of Queen's Bench with reference to that provision, in the case of Pilcher *v*. Stafford, which is the leading case on the subject, that a parent could not be convicted under that enactment a second time for neglecting to have his child vaccinated."

After hearing further evidence, the Committee reported, and what was the nature of that evidence? Mr. Fry said—

"Q. 3,845. Have you anything else that you wish to say upon that Clause (31)?—A. Perhaps I might say that, to meet the case of conscientious objections, it might, perhaps, be worthy of consideration whether a man might not be exempted from the penalty who takes an oath or makes an affirmation that he has a conscientious objection to the vaccination of his child. It seems to me that this would be similar in principle to the Statutes which prohibited the Ecclesiastical Courts from issuing execution against the person of a Quaker, though they might do so against his goods, and which was placed on the express grounds that the people called Quakers were known to entertain conscientious objections to the payment of tithes and church rates."

Dr. Simon, in answer to Question 3,510, said—

"I should be very sorry to see a system of one *bonâ fide* penalty, which would mean that in every case of mere indolence and procrastination the parent would have to pay perhaps £1. I think that would be very hard on the poorer classes. If, on the other hand, you had merely a sixpenny, or other nominal penalty, then, where there is an organization to defeat the law, of course those sixpenny penalties would be paid for the defaulter. It would not do to have only one penalty for that reason. You would be in a dilemma; but if you have a limit on two penalties—the first of which might be merely nominal, and the second, if the magistrate saw fit, the legal maximum—then, I think, all useful purposes of money penalties would be fulfilled."

And Mr. J. H. Stallard, one of the Commissioners of *The Lancet*, in notes upon the Bill of 1867, suggested that the Act of 1867 should be amended by causing the

> "penalty not to be inflicted until the Public Vaccinator has visited the defendant and offered vaccination, and in no case more than twice."

As regarded penalties, the Committee, in Paragraph 12 of their Report, recommended as follows:—

> "In enactments of this nature, when the State, in attempting to fulfil the duty, finds it necessary to disregard the wish of the parent, it is most important to secure the support of public opinion; and, as your Committee cannot recommend that a policeman should be empowered to take a baby from its mother to the vaccine station, a measure which could only be justified by an extreme necessity, they would recommend that whenever in any case two penalties, or one full penalty have been imposed upon a parent, the magistrate should not impose any further penalty in respect of the same child."

It was true that two of the Members afterwards recanted; and he could only suppose it was because they had forgotten the evidence and were misled by the eloquence of the right hon. Gentleman. It had been said by the President of the Local Government Board that cases of hardship arising from compulsory vaccination were comparatively few; but there was the greater reason why the sufferers should be relieved from an anomalous position. The state of the law was admittedly unsatisfactory, and he thought the time had come for limiting the number of prosecutions to which those who conscientiously objected to have their children vaccinated were now subject. In Ireland only one penalty was enforced. It was doubtful whether a second penalty could be imposed in Scotland. Mr. Alexander Wood, Edinburgh, in his evidence, stated in answer to Question 4,381—

> "In 1868, only five penalties adjudged in Scotland. There is more attention paid to the feelings of parents under the Scotch law."

In answer to Question 4,386—

> "Does not know of a single case of a second penalty having been exacted under the Scotch Act."

Mr. Edward Caton Seaton, M.D., gave the following evidence:—

> "Q. 5,389. Are you aware that the Irish Act has no continuing penalty, and yet that, under that Act, it is possible to obtain a very large and successful vaccination?—A. Very large indeed; but I do not know exactly what the Irish Act does."

Yet, in the case of the following persons, the fines had been repeated as now stated. Mr. B. V. Scott, 121, Kensington, Liverpool, 12 convictions, amount of fines and costs £16 16*s.* 6*d.*; Mr. H. Pride, 8, Grampian Road, Liverpool, 15 convictions, amount of fines and costs £21 8*s.* 6*d.*; Mr. T. Jackson, 36, Everton Village, Liverpool, 13 convictions, amount of fines and costs £19 11*s.* In the case of Mrs. West, of Eastgate, Rochester, she stated that her husband was serving a term of one month's imprisonment for refusing to have his child vaccinated, his term expiring on the 23rd of March; while in another case, that of Mrs. Eeley, of Brackley, whose husband was sentenced to a term of six weeks' imprisonment for refusing to have his child vaccinated, the unfortunate woman was compelled to apply for relief, remarking—

> "That she had been married 20 years and had never troubled the Board for anything. She would not have done so now if they had allowed her husband to stay at home and work for her as he had done. He had good reason for not having his children vaccinated."

The last instance he would bring forward was one that had been under the notice of the House, that of Mr. Joseph Abel, of Faringdon, Berks, who in two years had been amerced in fines and costs to the sum of £29 10*s.* under 21 summonses. In his case, it was stated that the Chairman of the prosecuting Board of Guardians was also one of the convicting magistrates—a dual position repugnant to the whole spirit of British law—and that the prosecuting solicitor, to whom the magistrates had allotted costs on each conviction, was the paid clerk to the same Board; that his services were wholly unnecessary, and could serve no other purpose except to saddle the defendant with unusual and extortionate costs—the Vaccination Officer being the legally-appointed authority for conducting prosecutions under the Vaccination Acts. There were also others, in which, after vaccination, death had resulted from erysipelas and other cognate diseases, which were enough to justify doubts as to the value of vaccination, and ought to render the House very careful how it refused to modify this oppressive compulsory law. A great deal of good, he (Mr. Pease) believed, was done by vaccination; but, at the same time, it could not be denied that children died in a wholesale way—["No, no!"]—under its operation, and therefore it was necessary to be very particular in carrying out the law. It was all very well to say "No;" but anyone who took the trouble to consider the facts, could have no moral doubt that many children had died in consequence of having been vaccinated. That belief had caused great loss and suffering to parents, let hon. Gentlemen call them what they would—prejudiced, zealots, fools; but they were only guilty of caring for their children, protecting them from what they deemed would harm them. They believed that the State regulations were opposed to the health of their families. From a Return presented to the House, it appeared that from 1870 to 1874 inclusive—five years—there were 4,190 prosecutions and 2,650 convictions, resulting in the imprisonment of 61 persons—a fact which showed that the opposition to the enforcement of the law was greater than many would imagine. Those cases were on the increase, and he would call the attention of the House to two or three fatal ones, as published in the newspapers recently. In the first, Mr. George Hawkins, of Winnall Down, near Winchester, made the following communication to Mr. Pearse, of Andover, in the month of February of last year. It ran as follows:—

"I must state that it is the firm opinion of both my wife and myself, that the cause of our dear child's death was from the effects of vaccination. She was vaccinated when eight weeks old, and was, from the time of its birth, until then, a most healthy child."

After other particulars, Mr. Hawkins went on to say—

"He did not really say it was through vaccination, but he said it was not suffering from any bodily illness, and it was a pity such a healthy child, as she appeared to be, should die; and he hesitated to give a certificate of the cause of death until he had thought it over. She was vaccinated on the 17th of October, and died on the 1st of December, 1876. If these statements are of any service to you, in your efforts to abolish that cruel law, you are at liberty to publish them."

In the next case, the mother of the sufferer made the following statement:—

"Naomi Ruth Ford, daughter of George and Emily Ford, of Isfield, in the county of Sussex, was born September 30th, 1876, died April 30th, 1877, aged 7 months. Was vaccinated March 8th, 1877. Previous to the operation had always been quite healthy."

In the third case—that of a child who died at Leeds, and on whose remains a Coroner's inquest was held—it appeared, from a statement of one of the jurors, that the jury were all agreed that the cause of death arose from erysipelas, but differed as to the primary cause, seven being in favour of the view that vaccination was the primary cause, and five—including the foreman—holding the reverse opinion; the result being that an open and evasive verdict was returned. After these cases, could it be said that these people had no reasonable grounds for their objections? The following medical testimony, perhaps, would answer the question in a degree:—Mr. James F. Marson, F.R.C.S., gave evidence before the Committee to this effect—

"Q. 4,661. Is it likely we could ever have a system which would insure its being what you call thoroughly well done?—A. I do not know—that is doubtful, because it has to be done by so many hands all over the country; and you know, as well as I know, how many careless people there are."

Mr. A. Wood said, in answer to Question 4,501—

"I have already said that we cannot be perfectly protected against small-pox by vaccination."

Sir William Jenner replied to Question 4,562—

"If a child had a certain degree of weakness, I should certainly not have it vaccinated—vaccination would not take; if it did, I should not choose to produce inflammation in the child's arm, which might be an additional disturbance."

Then, again, was there no carelessness at times on the part of the operators? Judging from the Report of Mr. J. Netten Radcliffe, made to the Local Government Board, on certain fatal cases which occurred at Misterton, near Gainsborough, in Lincolnshire, the affirmative could be the only answer given; for, in it, that gentleman says that—

> "With respect to the mode of operating, neither Dr. Beard nor myself had the opportunity of witnessing Dr. Wright perform vaccination; but we were enabled to satisfy ourselves that, in several of the details connected therewith, he was reprehensibly careless. The lancets he was accustomed to use, when seen by Dr. Beard at the beginning of the inquiry, were rusty, and when they were seen by me at a later date, though they had been partially cleaned, and apparently sharpened on some coarse-grained material, I found them dirty, both blades and handles, and in a state unfit for the performance of vaccination. Some 'points,' which he produced for examination, can only be described as filthy. Again, it appeared that Dr. Wright had the habit of carrying, mixed in the same packet, vaccine 'points' which he had recently used, and unused charged vaccine 'points.' In a packet of this sort, Dr. Beard and I found two used 'points' smeared with blood at the tips, mixed with a number of unused charged 'points.' Such carelessness, in regard to the performance of a delicate operation, is a constant source of danger; and, when it exists, if the vaccinator, in the course of his medical and surgical practice, should have been exposed to the infection of erysipelas, it is obvious that there might be opportunity for his infecting his lancets or 'points,' or the lymph with which one or both might be charged, in his manipulation of them."

Did not all this show that there was a great deal yet to learn? He had himself broken the law four or five times by refusing to have his children vaccinated according to law. In accordance with the advice of those who had the natural care of his children, their vaccination was deferred; but all his children had been since vaccinated. The President of the Local Government Board could not deny that there was carelessness on the part of those who carried out the law, and that children died in consequence from the effects of the operation, for his own Inspectors showed it; and it was these cases which alarmed people, and excited them against the Acts. The circular of the Local Government Board, issued to the local boards on the subject, on September the 17th, 1875, and ordered to be printed by the House on the 17th of March, 1876, had not been attended to by many of those boards, who had simply treated it as so much waste paper. With regard to his (Mr. Pease's) Bill, the President of the Local Government Board had said that it would not be a solution of the difficulty; but it was a Bill suggested by a Committee of the House, carrying out a clause which had already been passed by a vast majority of Members—but he was not strictly wedded to his Bill. He believed, to use the words of the right hon. Member for Bradford (Mr. Forster), that nothing had done more harm to the cause of compulsory vaccination than the introduction of cumulative penalties; and if the Government would allow his Bill to be read a second time, and allow the question to be raised in Committee as to doing away with or mitigating the system of cumulative penalties, he should be content; but, as matters stood, the effect of the present system could only be to produce a greater agitation than at present against vaccination. There was a general impression that it was a good thing to be vaccinated; but that vaccination was a preventive against the catching of small-pox, was made more and more doubtful by the Returns. His proposal was to have a law they could carry out, and he thought the weight of evidence was in his favour. They could not completely force the parent, and the question was, how far they would make the attempt to do so. Another argument in favour of the proposed alteration was, that the existing law was solely in favour of the rich, who could pay the penalties imposed, and thereby evade its provisions; while the poor, who could not pay, went to gaol, the child in both cases remaining unvaccinated. Then, again, were they so certain that they could compel—for the weight of evidence was not all on one side? How could they do so, after the still more frightful evidence given by Mr. Jonathan Hutchinson, as to the danger of syphilitic contagion being communicated by the performance of the operation, and which was as follows:—

> "Q. 5,001. Will you give the history of that case, so far as it came under your knowledge?—A. Thirteen persons, mostly young adults, servants and shopmen, were vaccinated from one child on the 7th of February. They were all second vaccinations or re-vaccinations. Q. 5,002. Were they males?—A. They were of both sexes. I think about four were females, and the rest males. They were all vaccinated from one child. The child had been lent to the surgeon, who took the lymph from its arm for the purpose of vaccination, from a public vaccinating station. He vaccinated from arm to arm 11 of those 13 individuals, and two from tubes; and, two months later, I was asked to see the sores on the arms of the patients who had been vaccinated. Out of the 13, 11 had on their arms sores which I considered quite characteristic of

syphilis; they had the primary sore of syphilitic contagion. Q. 5,006. What was the state of the child?—A. From the symptoms which the child presented, although it appeared in good health, I should have no doubt that it was the subject of inherited syphilis."

That evidence was fully confirmed in the following passage, taken from a lecture delivered by Mr. J. R. Lane, F.R.C.S., at the Harveian Society, in December, 1876, which was published in *The Lancet*. It ran thus—

> "Lancereaux collected 351 cases in which vaccination was performed with lymph which appears to have been impregnated with syphilis. Of the 351, 258 contracted syphilis, while 93 only escaped."

Although these might be said to be exceptions, yet they pointed to one lesson, and that was—that, with such exceptions, they dared not have too tight a law. It might be said that the Bill was not logical; that anti-vaccination papers wrote it down, while those in favour of the practice did not agree with it. But the logic of the existing law could not be said to be perfect—for logic said, take the baby by force; but the Committee, in its Report, plainly said that could not be done. Again, if they were not prepared to omit penalties, on a simple declaration of objection to the performance of the operation, the next step was to have as low a penalty as possible—one that would not be hard upon conscientious objectors, and one that, at the same time, would not allow the careless and negligent to slip off. His proposal, he thought, embodied those requisites; and, moreover, it was in accordance with the opinions of those great authorities he had quoted—Mr. Danby Fry, Dr. Simon, and Mr. Stallard. The Select Committee unanimously approved it, and that House itself, by a majority of three to one, had declared in its favour. In conclusion, he would commend it as a solution of the existing difficulties on the question, as an act of simple justice to those who considered themselves oppressed under the present legislation; and, finally, as a measure calculated to remove irritation, and, as he believed, to aid in carrying out a useful sanitary law.

EARL PERCY, who had on the Paper a Notice of his intention to move after the second reading—

> "That the Bill be referred to a Select Committee, and that it be an Instruction to the Committee that they have power to inquire into the present practice of Vaccination, for the purpose of ascertaining whether it be not capable of improvement;"

said, he thought his hon. Friend in charge of the Bill (Mr. Pease) had rather overstated his case. The present laws allowed a doctor to defer vaccination, in case of a weakly child, for any length of time, so that it could not be said that poor people were compelled to have their children vaccinated by a certain time, even if dangerous to the children. Was it true that this so-called wholesale slaughter of children occurred in consequence of vaccination? If that were so, then he contended that some remedy much more sweeping than the Bill of the hon. Gentleman was required. This was a subject in which he had taken great interest, and it was because he did not hold the strong views of the hon. Gentleman, because he believed most firmly in the efficacy of vaccination when properly administered, that he was anxious by every means in his power to diminish whatever feeling there might be in the country against the practice of vaccination. Last year he showed that, according to statistics, there was an increase of diseases which possibly were transmitted by vaccination, and he could not help coming to the conclusion that either there was something unsatisfactory, or else these Returns were not to be relied upon.

MR. SCLATER-BOOTH: They are to be relied upon as for their accuracy, although they do not support the inference of the noble Lord.

EARL PERCY supposed the right hon. Gentleman wished to imply that the increase of diseases was not due to vaccination; but, really, he thought nothing could be more serious than that Returns moved for in that House should be granted without a word of warning that they were not to be relied upon, and thus that they should be allowed to be made use of by those who were opposed to vaccination. The two questions before the House were—Did the alleged increased mortality among infants exist? and, secondly, was that increased mortality owing to vaccination? He submitted that it was the duty of Her Majesty's Government to make these facts plain to the public, or else to give facilities for an inquiry into the manner in which vaccination was carried on. He recommended that, if the Bill were read a second time, it should be referred to a Select Committee, for the purpose of inquiring into the present practice of vaccination, in order to ascertain whether it be not capable of improvement? An inquiry of that kind could not be detrimental, while it would do much to satisfy a certain amount of uneasiness now existing in the public mind with regard to vaccination.

Dr. LUSH said, his remarks on the second reading of the Bill would be considerably modified by what he understood to be the Government's acceptance of the proposal which had just been made. As to the Bill, he felt persuaded that if the question before the House were really one as to the propriety or non-propriety of vaccination, very few Members of the House would be inclined to discontinue it. Vaccination, as a preventive of the horrible disease of small-pox, he believed to be one of the greatest boons that could be conferred on suffering humanity. In order to judge of to what extent it was a prophylactic of the small-pox, they had only to look back to the time when hundreds whom they met in the streets had their faces seamed with scars. Since vaccination became general, these objects were becoming less and less numerous, and, undoubtedly, the feeling of the country was largely in favour of vaccination. He regretted to have heard the hon. Member for South Durham (Mr. Pease), in moving the second reading of the Bill, use the expression—"the wholesale sacrifice of life caused by vaccination;" but he supposed the hon. Member had his mind filled with the pamphlets and other publications, got up by active secretaries, who made up for their ignorance of the subject by strong language and indiscriminate abuse. The accident of vaccination being performed at the time when erysipelas was prevalent had, perhaps, caused many people to form an erroneous view of the result of the former. No doubt, cases could be adduced of bad results having followed vaccination. So far as his belief went, however, sufficient protection was afforded by the law, because it was provided that children who were not physically fit for it should not be subject to the operation. He did not, however, understand that the Bill was directed against the practice of vaccination in itself, or that it could be said to involve anything beyond the question as to the principle of cumulative penalties, which was a separate question altogether. He would not oppose the second reading on the understanding that it was going to be referred to a Committee.

Sir WALTER B. BARTTELOT felt satisfied that if the question before the House was whether vaccination was to be continued or not, an overwhelming majority would be of opinion that the most mischievous thing that could happen to this country would be to abolish vaccination. He was opposed to any proposal that would tend to prejudice vaccination in the estimation of the public; for, even admitting that some disadvantages might attend it when carelessly administered, yet these counted for nothing in comparison with its great merits as a prophylactic. He thought, however, that means should be taken to supply the vaccinating surgeons with a supply of pure lymph—that being essential to the success of the operation—and he was satisfied that the right hon. Gentleman was quite alive to the fact that it was a crime on the part of the operator not to take the greatest possible care to obtain lymph of the purest quality. It was because people believed the lymph to be impure, that they objected to have their children vaccinated. The hon. Member for South Durham, in moving the second reading of the Bill, had not done himself justice, because he had taken the very course which would prevent a large number of hon. Members from voting for it, by exaggerating the evils that resulted from vaccination, and by using arguments that pointed to its abolition. The Bill itself did not go so far as that, merely proposing to revise the penalties inflicted on those who declined to abide by the law upon this subject. On the whole, the right hon. Gentleman would have to determine, on his own responsibility, whether any revision of those penalties was desirable or not. He (Sir Walter B. Barttelot) objected to the proposal that a man who had been once punished for a breach of the law should be allowed to go on disobeying it ever after. On the contrary, he ought to be compelled to obey it.

Mr. W. E. FORSTER expressed his regret that he had been unable to be present at the commencement of the debate, and that he should be compelled to leave the House before any decision on the subject under discussion was arrived at. He was of opinion that some slight amendment of the Act in the direction contemplated by the hon. Member for South Durham (Mr. Pease) was desirable in the interests of vaccination. The conclusion arrived at by the Select Committee which sat on the subject was one he abided by. Vaccination was as yet the only remedy they knew of for one of the most terrible diseases that afflicted humanity. It was the duty of the State to do all it could to get rid of the scourge, if not by voluntary, then by compulsory, vaccination. But, next arose the question, how was it to be done? That was the practical point to be grappled with. In plain logic, they should, if the parents did not bring their children to be vaccinated, send the policeman to bring them to the surgeon, as in the case of the board schools; but he thought the feeling of the country would be opposed to a proceeding of that kind. Practically, however, that difficulty vanished; for, according to the Report of the Committee of 1871, the unvaccinated children were ranged in three classes. First came the children who were utterly neglected by their parents, and in their case it was obvious that there would be no difficulty whatever in enforcing vaccination. Next came the children of those who, although they had no objection whatever to the operation, yet, from inattention and carelessness, postponed having recourse to it. A fine of 20*s.* would be sufficient to arouse those parents to a sense of their duty. It was evident that these two classes constituted the vast majority of the unvaccinated children, the third and smallest class being the number of persons who had, or supposed they had, a conscientious conviction that their children ought not to be vaccinated; they were very few indeed, and, as the State if it entered into a conflict with them would be defeated, it might be better to let them alone, even if there were some danger of their children taking small-pox, rather than to go on inflicting cumulative penalties indefinitely upon them. The statistics showed that in Ireland and Scotland, where the cumulative penalties were not in force, there was more vaccination than where they tried to enforce them. The debate had shown a remarkable concurrence of opinion on the subject; but he could not support the Amendment of the noble Lord the Member for North Northumberland (Earl Percy) that that Bill, after its second reading, should be referred to a Select Committee, with power to inquire into the present practice of vaccination and to ascertain whether that practice was not capable of improvement. The Committee of 1871 had examined into that question as much as any Committee could do, and strong pressure was now being used to render vaccination as perfect as possible. It would not do to leave on the public mind the impression that the House of Commons had any doubt as to the necessity of vaccination. He believed that the hon. Member for South Durham would be very willing to have the Bill sent before a Select Committee; and, for himself, he (Mr. Forster) would suggest that the Committee should consider how far the Bill could be amended so as to provide for the limitation of the cumulative penalties for non-vaccination without endangering the action of the Compulsory Vaccination Acts. In his view, it would be preferable to adhere to the present system rather than to subvert the principle of compulsory vaccination.

MR. FORSYTH said, that he had so long considered it an axiom of medicine that vaccination was, if not altogether, yet generally, a specific against the ravages of small-pox, and that the discovery of Dr. Jenner was one of the most beneficent discoveries ever made for the alleviation of the sufferings of afflicted humanity, that he had been surprised to find the amount of agitation that existed against it, not only amongst zealots and fanatics, but amongst many intelligent men. No one could compare the state of the population now as regarded the disease of small-pox with what it was in the last century without being satisfied that vaccination on the whole had been a wonderful success. No one could read the biographies and novels of that century without seeing how fearful was the scourge of small-pox then, and now the population of this country was comparatively exempt from it. If the Motion of the noble Lord the Member for North Northumberland (Earl Percy) was the only one before them he should vote for it; because such a Committee as the noble Lord proposed might be of great use in dissipating the delusions that existed on the subject. But, looking at the present Bill, he could not vote for it. The argument that there ought to be only one penalty for one offence did not apply here. When a man persevered in not having his children vaccinated, he was guilty of a continuing and repeated offence, and the penalty ought to go on increasing until he submitted and the law was vindicated. What the Legislature wished was to stop the spread of a terrible contagion, and he could not understand how Parliament should be called upon to respect the obstinacy of the man who stood in the way of such sanitary reform because it had respect for the religious convictions of the Quakers in the matter of oaths. The Quaker who refused to take an oath could make a declaration, but in no way did he injure or imperil his neighbour; whereas the man who refused to allow his child to be vaccinated not only exposed that child to the ravages of the disease, but made the child a centre of infection in the neighbourhood and a source of danger to others. Regarding vaccination as absolutely essential, he was, in the interests of public health, opposed to any measure that would tend to interfere with it. *Salus populi suprema lex.* He believed the immense majority of the people of this country were in favour of compulsory vaccination; but there was a strong feeling in existence that the lymph employed was sometimes of a deleterious character. A Return for which he had moved as to the present sources of the lymph, would probably dissipate many of the delusions entertained upon that point. He could not bring himself to vote for the Bill; because, if it were passed, it would tell the people of this country that the House was in a state of doubt as to the beneficial effects of compulsory vaccination, and tend to perpetuate a mischievous delusion.

Sir JOSEPH M'KENNA quite understood that the Bill might be so modified in Committee as to make it a rational measure, but he objected *in toto* to the second reading of a Bill to the principle of which he was strongly opposed. The passage of this Bill would not only sow the seeds of doubt in the minds of a large number of persons with respect to the principle of vaccination, but it would also give a positive encouragement to an obstinate resistance to the law. The Bill, in place of making the penalty for persistence in bad conduct more severe, abrogated further penalty altogether. He had heard no reasons from those who had supported the Bill that could induce him to vote for its second reading. It might be totally changed in Committee; but how could he be called on to affirm a principle to which he strongly objected, on the ground that the details might be greatly altered when the measure reached a further stage? He asked the House did it approve of the principle of this Bill, which in reality meant that for the repetition of a grave offence there was to be no redress for society. He would also remind the House of the position in which it would be placed if it affirmed the principle of the Bill by giving it a second reading. Supposing the Bill went into Committee, but did not pass, owing to the difficulty of finding time to alter and amend it, what would they be told on some future occasion? Why, some of the enthusiastic anti-vaccinators would come down to the House and say—"The principle of this Bill has been already affirmed by the House. It was supported by this right hon. Gentleman and by that hon. and learned Member"—and so forth; but the fact was, that none of the authorities had declared themselves in favour of the principle—and the only principle—that was to be found on the face of the Bill. The practice in Ireland had been referred to, and it was said that there was no law in that country providing a repetition of the penalty for a repetition of the offence; but, apart from the circumstance that some of the Irish people had the idea that innoculation with virus of small-pox was more efficacious than vaccination, the bulk of the community were sound on the subject, and desirous of carrying out the law, and certainly there was no such resistance to the law as had been shown to prevail in England. He, for one, would offer a most uncompromising resistance to this Bill.

Sir THOMAS CHAMBERS reminded the House that the objections raised by certain persons against vaccination were founded upon conscientious views. He denied that vaccination had been the means of saving the lives of thousands; and, although he did not deny that it tended to diminish the deaths from small-pox, nevertheless it was an ascertained fact that deaths from consumption and other diseases had gone up in a greater ratio than the deaths from small-pox had gone down. That was, he thought, a very important point for the consideration of the members of the Medical Profession. He did not, however, wish to argue against compulsory vaccination; but he thought the infliction of cumulative penalties upon parents who conscientiously objected to vaccination was a cruel and indefensible proceeding. The Act had been in operation between five and six years, imposing accumulative penalties, but it had failed in many instances in impressing on parents the value of the adoption of vaccination; because it was admitted that grievous faults were to be found with the mode of carrying out the system, and that a prejudice against it had arisen from that circumstance. There had been some cases of opposition to the law which he would not attempt to vindicate, but there were others in which the people had acted from conscientious feelings that vaccination was not a perfect preventive against small-pox. Against the consent, and in the face of the conscientious objection of the parent, to subject a healthy infant to cow-pox, in case it might in the course of its life take another and more serious disease, was a strong thing to do by force of law; and it could only be justified on the condition that the operation did not rest on a mere medical theory, and that they were certain it would do no mischief. There were still many open questions on that matter, and many precautions must be taken as to the purity of the lymph used and other points to guard against harm being done where good was intended. The children of the poor were often vaccinated in a heap. He had received most touching letters from all quarters, complaining of the grievous sorrow and suffering inflicted on families through that system, and he believed that if this Bill were adopted it would remove some of the obstacles to the operation of the present law. As to the fear expressed that a single child which had not been vaccinated might give small-pox to others which had been vaccinated, that argument was inconsistent with the whole theory of the protective efficacy of the operation. Compulsory vaccination was the strongest form which parental government could take, and he was not surprised that the repeated infliction of penalties for non-compliance with this legislation had caused great agitation among many reasonable and intelligent men. The Vaccination Laws were, in his opinion, operating most harshly against a large and estimable class of the people; and though he should not advocate the repeal of those laws altogether, he believed that some such measure as that proposed would go far to mitigate their severity or evil consequences, and he should therefore support the Bill. As to the statistics upon the subject, he did not think the slightest reliance could be placed upon them.

Mr. GREENE said, the hon. and learned Recorder of London (Sir Thomas Chambers) had raised an argument of a most ingenious character, and one which, if carried to its legitimate conclusion, was equivalent to saying that all our sanitary precautions were of no avail whatever. It was urged that when small-pox predominated, other diseases did not prevail; but, of course, when there was a strong epidemic, if people did not die of it, they must die of something else. If it was not a matter of public policy that this law should exist, there could be no possible justification for it. He (Mr. Greene) was anxious that the feelings of the people should be consulted as much as possible in that matter, and that as much care should be taken in the vaccination of the poor man's child as of the rich; but the present law on that subject was based on public policy, and that law would be made nearly inoperative if the House passed this Bill. Their past legislation on that question was either right or wrong. If it was wrong, let them abolish compulsory vaccination, and leave the country as it was 60 or 70 years ago; if it was right, let them adhere to it. They must have some strong pressure to enforce vaccination, or they must give it up altogether. There were people who carried their prejudices so far that they would rather a patient should die than that he should be cured by a remedy to which they objected. If they were to impose only a single fine for a continual breach of the law, people would find the means of defying the law and paying the fine through a club, as poachers, in some cases, had been known to do. He should vote against the second reading of the Bill, because it was a measure without a principle.

Mr. EVANS remarked, that the only country he knew of in which vaccination had been perfectly successful was Iceland, where, during the last 30 years, there had not been a single case of small-pox. It was introduced there in 1811 by Sir Henry Holland, and he knew on the best possible authority that for the last 30 years there had not been a single case of small-pox in that island; although, before vaccination was introduced there, small-pox had been a dreadful scourge, carrying off thousands of the people. French fishermen suffering from this disease had landed on that coast, but that had never affected any of the population. Thirty years ago vaccination had been introduced into Iceland; and, whereas before that time small-pox epidemics had been frequent in the island, since then there had not, he believed, been a single case. He thought it would be very easy to ascertain whether there had been any great increase of other diseases in Ireland since the introduction of vaccination; and, as regarded this Bill, he did not think it was desirable to pass it, as it would bring the law into contempt.

Mr. Serjeant SPINKS said, that the enforcement of compulsory vaccination among the poorer classes was effected under conditions which were not likely to conduce to its success, and which caused considerable inconvenience to the people. It seemed to him most desirable that some inquiry into the matter should take place, for when there was passive resistance to law it was desirable to find out the causes. The right hon. Gentleman the President of the Local Government Board had stated that the mode in which vaccination was managed inflicted much discomfort on the poorer classes. He endorsed that assertion, which was especially true of the poor in the rural districts, who often had to bring their children from a considerable distance to wait upon the surgeon. In his opinion, the Amendment of the noble Lord the Member for North Northumberland (Earl Percy) would meet all the necessities of the case.

Mr. MITCHELL HENRY thought that a great many questions which had been put in the course of the debate could only be answered in a Committee appointed to inquire into medical subjects; but there was no doubt that, if they were about to propose now, for the first time, to transfer a disease from one of the lower animals to man by a surgical operation, the proposition would be regarded as a monstrous one. It was impossible, in a debate such as this, to explain all the circumstances connected with vaccination. It was chiefly intended to prevent a child becoming a source of infection, and if that was accomplished, the operation was justified by its result. The only ground on which compulsory vaccination could be maintained was that the experience of the civilized world showed that it protected mankind from a scourge which, if not checked in that way, produced the most miserable evils. There were other diseases analogous to the small-pox, and one of these was the measles. The House would probably remember what had happened in Fiji, when the English undertook the protection of those islands. The measles were unknown among the Natives before that time; but we had, unfortunately, been the means of introducing that disease, and the fatality which followed was terrible. The fatality from small-pox amongst savages was also deplorable, where the means of counteracting it were not adopted; but, with regard to the latter disease, experience had shown that vaccination was a successful means of prevention. Of course, therefore, people who lived together in a civilized country, must submit to laws which were imposed for the general good, and he regarded every argument that had been urged against vaccination as an argument against the whole of their sanitary legislation. They had lately made stringent laws to prevent the communication of fevers and other epidemic diseases, and severe penalties were imposed on persons who refused to obey the law. Cases might be adduced where friends objected to send fever patients to the hospital on the ground that the journey might be dangerous to the lives of the patients; but the answer was that the general good of the community must be taken into account, and the law must be enforced. He could not vote for this Bill, because it seemed to him an immoral Bill; for he held that it was an immoral proposition to say that a persistent refusal to obey the law should produce immunity from the operation of the law. There were certain people who could never be convinced that the law was right, and those persons would persist in breaking the law if this Bill were passed. It would also, he thought, be found that those who were opposed to this law were opposed to all the penalties imposed by sanitary legislation. As for the possibility that other diseases might be communicated by the lymph, he regretted that some medical men of eminence had at first eagerly negatived that suggestion; for they had since been compelled to admit the fact, and that had in some quarters intensified the prejudice against vaccination. At the same time, he was confident that vaccinators took all possible care to obtain good lymph, and it was not, perhaps, in more than one case in 1,000,000 that any evil followed. The hon. and learned Recorder (Sir Thomas Chambers), who had recently spoken, seemed to have a prejudice against medical men; for he had alleged that they used more care in vaccinating the children of the rich than they took in the cases of the children of the poor. In his opinion, medical men were never open to this charge; it was quite a libel. With regard to the carrying out of the Acts, he thought it a defect that the fees were so very small and irregular, and that, in consequence, there was not that amount of care as regarded watching the success of the operation which ought to be exercised. Medical men must live, and time to them was money; but he thought it would be a great improvement if the Government could arrange that vaccination should be performed in private houses, although, of course, the cost would thereby be greatly increased; but, if not, medical gentlemen should be allowed by the Government a sufficiently large fee to enable them to perform it at fixed periods of the day, and to watch the results afterwards.

Mr. GLADSTONE said, he was desirous of knowing whether he understood rightly the position in which the House stood with respect to the second reading of the Bill. His impression was that the right hon. Gentleman opposite (Mr. Sclater-Booth), after listening to the terms of a certain Motion that his right hon. Friend the Member for Bradford (Mr. W. E. Forster) meant to propose, was disposed to accede to the second reading of the Bill, acting with that kindly and temperate spirit which he had shown in all proceedings with respect to the administration of this law, and there really were difficult questions in connection with it. But it appeared that there were many hon. Members who were not disposed to acquiesce in the result which the combined authority of the Government, the hon. Member behind him, his hon. Friend the Member for Salisbury (Dr. Lush), and the right hon. Member for Bradford, who was officially responsible at one time in this matter, advocated, and they were disposed to take a division. He wished to state very briefly his reasons for voting for the second reading of this Bill. It appeared to be admitted on all hands that inquiry of some kind must take place—that was an almost universal admission. One of the most astounding things which had been said with respect to the compulsory law of vaccination, was what had just fallen from the hon. Member who had just spoken (Mr. Mitchell Henry), and who had said that in his opinion they wanted to have vaccination safely and properly administered. There must be a considerable increase of fees to medical gentlemen who vaccinated, not for the profit of those gentlemen, but to obtain the kind of work which was wanted. That was a very serious proposition. On the whole, there had been, in the most emphatic terms, an acceptance of the principle of compulsory vaccination. He was conscientiously of opinion that with this general acceptance of the principle of compulsory vaccination, which he was not prepared to disturb, it was very natural to consider what course of proceeding would least tend to unsettle the public mind with respect to those Acts. He had arrived at the conclusion that if they wished to unsettle the public mind as little as possible with respect to these Acts, the best thing they could do was to adopt the present Bill, whose basis was definite, with a maximum of penalty. If there were a general inquiry, every part of the system of the Acts must come under the consideration of the Committee, and the effect of it would be to produce a much greater uncertainty as to the mind and intention of Parliament than if they acted on the proposal before the House. He put that with some confidence to some hon. Gentlemen who had expressed an opinion adverse to the second reading of the Bill. He quite admitted that the public in general appeared to be well satisfied with the law of compulsory vaccination, and that the dissentients were comparatively few. But what dissatisfaction existed was of an extremely acute character, and the range of it did not diminish. It had proceeded to the foundation of journals, which must live by circulation, and the tables of hon. Members groaned under the number of anti-vaccination pamphlets and papers. Therefore, he thought that the question was in a state which the House, with its usual prudence, would feel could not be altogether passed by. If so, and it was desired to keep the matter within the narrowest limits, he was sure the course proposed by the hon. Member for South Durham (Mr. Pease) was a wise one. Hardly sufficient value had been given to the fact that the Vaccination Laws were worked in different ways in different portions of the United Kingdom. In England the law was worked on the basis of cumulative penalties; but it was not so in Ireland and Scotland, and it could not be said that that principle was necessary in England if it was not necessary in Ireland or in Scotland. It was said that the people of Ireland were right-minded on this matter; but it was difficult to bring the people of England into a right state of mind by any but gentle means, and to persuade them that the law needed to be enforced against them with a severity that was never contemplated against the members of the other portions of the United Kingdom. He rather thought the inequality of the law as it stood was a strong reason for doing what they could to mitigate its severity. It was undoubtedly an unequal law as between the poor and the rich. That must, of course, be the case to some extent, and even if they reduced the penalties to a limited amount, they would, under all the circumstances, be a much severer charge to the poor man than to the rich. But, by the present system of accumulated penalties, the case was grievously aggravated, for the cumulative penalties were trivial to the wealthy man, whereas to the poor man they were of a crushing character. He hoped for the concurrence of the Government with himself in the second reading of the Bill for these reasons—first, because the necessity of cumulative penalties could hardly be asserted in the diversity of the state of the law in the three Kingdoms; secondly, because the law as it stood was unequal—and, necessarily unequal—as between the poor and the rich; and, thirdly, because the course proposed by his hon. Friend was one which, if they were to have inquiry at all, and were to take any step at all—and some step was admitted to be a necessity—would tend the least to disturb the great principle of compulsory vaccination.

Lord RANDOLPH CHURCHILL said, the Bill was an attempt to nullify the whole of the Vaccination Laws, and it was a measure which he should be surprised to find the President of the Local Government Board could accept upon any terms. It would enable any man to leave any one of his children unvaccinated on the payment of 20*s.* He hoped the right hon. Gentleman would not listen to the compromise of the right hon. Member for Bradford (Mr. W. E. Forster), which was simply the thin end of the wedge which was sought to be introduced against the whole of the Vaccination Law. A Society had been formed, called the Anti-Vaccination Society, and this pernicious organization flooded the country with every kind of lying literature. If the right hon. Gentleman assented to the Bill, they would raise the exulting cry throughout the country that the anti-vaccinators had achieved a victory over the vaccinators. He would move that the Bill be read a second time that day six months, and trusted that the President of the Local Government Board would support it, knowing that he would be backed by a large majority.

Mr. PELL, in seconding the Amendment, remarked that, while much had been said of the feelings and convevience of the parents, the children themselves had been ignored. Nothing could be more horrible than to expose them to the risk of such a disease as small-pox, and he was consequently in favour of keeping the law as it was. The inconvenience which it caused was, at all events, not serious enough to necessitate its alteration. The House should remember that it was unwise to countenance the existing organized resistance to the law. All sorts of foolish publications had been sent to him; many of them seemed to be mixed up with spiritualism; but a marked absence of logic, of scientific fact, and of authentic statistics, characterized them all. That was bad enough; but he could conceive nothing worse than trifling with such a subject by such a Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Lord Randolph Churchill.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. LYON PLAYFAIR said, that having been a Member of the Vaccination Committee, which at one time recommended the course suggested in this Bill, he should like to say a few words to explain why his opinion had since changed. Information was laid before the Committee in regard to England, Ireland, and Scotland, and the Committee deliberately came to the conclusion that cumulative penalties should not be exacted, and the reason of that was very obvious. Martyrs were created, who spread their fame and propagated their tenets throughout the community, and it was desirable to prevent this. Being then a young Member of that House, he had been influenced by the view taken by the right hon. Member for Bradford (Mr. W. E. Forster); but when the latter subsequently brought a Bill before the House he opposed it, and gave as a reason that he could see no principle in such a measure which might not be vastly extended to the danger of society. It involved the principle of sale of indulgences for a breach of the law. What difference was there between this case and that of spreading diseases through public conveyances? That was illegal now; but who would propose that if a man was once fined for putting a child with scarlet fever in a cab, he might put it into any other cab with impunity? By this Bill, however, supposing a man had seven children, after being fined for each child, he might let them remain probable centres of infection for the remainder of their lives. Vaccination was for the benefit of the community, and this measure stated that if a man once offended, or, at all events, paid a certain amount of fines, he was to have an immunity from further fines. It would never do to sell a legal indulgence to disobey the law. The right hon. Gentleman then went on to refer to the fact that vaccination had, with various modifications—which had been the fruit of experience—extended its beneficial influences to all classes of society. He could not agree with this Bill.

MR. SAMUDA said, the Bill was a positive encouragement to commit the offence by payment of a certain amount of money. It appeared to him that the Bill was framed to defeat the object of all those who wished to see vaccination universally adopted. It was scarcely necessary to refer to the advantages that vaccination had conferred on those countries where it had been rigidly enforced. He had seen a signal instance of it reported only a few days ago in the daily papers —namely, that the loss from small-pox in the Franco-German War in 1871, in the German Army, where vaccination was compulsory, was only 240 men, against nearly 24,000 men in the French Army, where it was not—and the statement was apparently made on the authority of public medical statistics, and bore the appearance of being reliable. The proposal was insidious, and involved danger to the whole community, and especially to children, whom the State was bound to guard. He should vote against the Bill.

COLONEL NORTH said, that the town of Banbury, in his immediate neighbourhood, was the head-quarters of the anti-vaccinators, and a gentleman in that town paid the fine for those who were fined. He had sent a man to gaol who could pay the fine but would not do so, and when he returned from gaol he was paraded through the town with a band of music and flags, and since then others had met with the same reception. He hoped the Bill would not be passed, as it would be a great encouragement to anti-vaccinationists.

MR. DILLWYN supported the Amendment, as he believed that the effect of the Bill would be, if carried, to lead to an entire abrogation of the present law.

COLONEL MURE objected to the Bill on the ground that it involved a pernicious change in the law. In his view, the Bill was really one to increase the death-rate of the country. In his own county there was a branch of the Anti-Vaccination Society; but it was mainly composed of poor and ignorant persons, and comprised very few names, indeed, of men of higher education. As to the fines imposed, he confessed that he did not like cumulative penalties; but, if this Bill passed, there would be cumulative penalties in another form—not in the shape of money, but in the shape of disease. He, therefore, could not support the Bill, and he expressed his surprise that it should be supported by hon. Members who, he should have thought, would have known better. He was also surprised that Her Majesty's Government seemed inclined to tamper with the question.

Mr. MUNTZ thought that no sane man could doubt the absolute necessity of vaccination. They had a number of noisy agitators raking up a sentimental opposition, whose object was to make martyrs of several silly people, and he thought the best thing to do would be to take the wind out of their sails by passing this Bill.

Mr. SCLATER-BOOTH denied that the second reading of the Bill would be regarded as a triumph by the Anti-Vaccination party, and read a declaration by the Anti-Vaccination Society to the effect that it would be utterly impossible for that Society to lend the Bill any countenance or support. He pointed out that the language he had held in regard to the Bill was consistent with the policy he had always indicated in reference to cumulative penalties. He had always been in favour of some means being devised by which some limitation of the accumulation of penalties could be reconciled with the enforcement of the compulsory law. He could not support the second reading; but, if the Bill were read a second time, he would not throw any obstacle in the way of the proposals of the right hon. Gentleman opposite (Mr. Forster), on the understanding that the reference was limited in the way the right hon. Gentleman had suggested.

Mr. W. E. FORSTER was surprised that the right hon. Gentleman opposite (Mr. Sclater-Booth) would not support the second reading of the Bill. Notwithstanding that declaration, however, he (Mr. W. E. Forster) should vote for the second reading. He believed it was necessary, in order to stop this terrible disease; but cumulative penalties were doing more to prevent compulsory vaccination than anything which could be proposed. The experience of Ireland and Scotland confirmed that view. If the Bill were now read a second time, he hoped it would be referred to a Select Committee; but, if it were not read, he thought the Government must feel that they could not possibly leave the question in its present state, but would be bound themselves to move for a Select Committee to inquire into the working of the Acts. If his hon. Friend took his advice, he would advise him to withdraw the Motion, on the understanding that the subject should be referred to a Select Committee.

Mr. PEASE, in reply, held that the agitation against compulsory vaccination had been produced by cumulative penalties. If, however, the Government would allow a Select Committee to inquire into the subject, he would withdraw the Bill.

Question put.

The House *divided*:—Ayes, 82; Noes, 271: Majority 189.—(Div. List, No. 95.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

HYPOTHEC (SCOTLAND) (No. 3) BILL.

(*Sir George Balfour, Lord Douglas Gordon, Mr. Laing, Mr. James Barclay.*)

[BILL 101.] SECOND READING.

Order for Second Reading read.

General Sir GEORGE BALFOUR, in moving that the Bill be now read a second time, said, the principle of the measures as at present existing in Scotland, was open to the gravest objection. It was an exceptional law in favour of one class—the landed interest—and it gave unjust priority to their claims for rent of land, to the injury of other classes who aided farmers with supplies needed for cultivation. It was, therefore, thought that by abolishing this unfair priority, as intended by this Bill, it would improve the relations be tween landlord and tenant. It was useless to try and minimize the evil of this priority as the Act of 1867 attempted. Tenants in Scotland were imbued strongly with a dislike to the law as it at present existed, and nothing but its abolition would ever remove the objections to it. It was a law that came down from ancient times, when the cultivators of the soil were serfs and slaves, and it had the badge of slavery upon it. Landlords said they maintained this law for the purpose of benefiting the small tenant-farmers; but all he (Sir George Balfour) could say was that a law which placed power of sequestration so much in the landlords' hands could hardly be for their benefit. If landlords desired to do good to the poorer cultivators of the soil, they might exercise their beneficent intentions without retaining the priority which they now had to be paid in full, whilst other creditors lost their claims. The condition under which the farms were cultivated had been changed within recent years. Landlords used originally to supply not only land, but the implements of husbandry—seed, cattle, and everything needful for cultivation; but they no longer did so, except as to land, and that justified the tenant-farmers in seeking relief from the hypothec on the farm property now placed in the landlords' hands. At that hour of that Wednesday evening (5.30) it was impossible to have an adequate discussion on such a measure. With the view, however, of having the matter brought to the test of a vote, to ascertain the intentions of hon. Members who had spoken in favour of abolition, he would say very little more upon it, and ask the House to give a decision, in order to see what its feeling was in regard to the abolition of this one-sided law. He did not think the Bill ought to be talked out, as on a former occasion; but that the Scotch Members should be allowed to have an opportunity of coming to a conclusion on the abolition, in order that they might show that they were fulfilling the pledges they had given at the last Election. The hon. and gallant Member concluded by moving the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*General Sir George Balfour.*)

Sir WILLIAM CUNINGHAME moved that the Bill be read a second time that day six months. It was so late, that it was impossible then to have a discussion that would be at all satisfactory; and still he did not wish to see the Bill talked out, but would be sorry if it did not proceed to a division. If, however, that was the result that evening, he thought the hon. and gallant Gentleman (General Sir George Balfour) had only himself to blame in moving the second reading of the Bill at so late an hour. He was under a great disadvantage, owing to the extreme shortness of the speech with which the Bill had been introduced. The hon. and gallant Gentleman, anxious to get a division, had not attempted to explain to the House the reasons which justified him in seeking to alter this law. He (Sir William Cuninghame) would therefore be obliged to state the arguments both for and against the proposal, in order that they might be understood. One argument was, that the present law was unjust, because it favoured one of the farmer's creditors—namely, the landlord—to the disadvantage of the rest; and another argument, which was the prinpal one, was, that it was injurious to agriculture; and the farmers, therefore, desired to see it changed. He would say a few words in regard to each of these points. First, in regard to the injustice of this law; it was not an argument which at all could commend itself to the common sense of the House, and he remembered very clearly when the debate took place on the subject of hypothec, three years ago, that the hon. Member for Wigton (Mr. Vans Agnew) did not dwell upon the question of injustice. These prior claims tended to encourage credit and advance trade, and were justifiable and right for the public good. For instance, the grain merchant, and the manure merchant, who were supposed to be aggrieved by the prior claim of the landlord, gained a benefit under a similar law when they were enabled to get their premises with more facility for the purpose of carrying on business. Shipowners, also, were enabled to give credit to those embarking grain on their ships, owing to the claim which they had on the cargo. The second argument, that the present law was injurious to agriculture, involved a much more difficult and complicated question. It was contended by those who said this was the case, that the law enabled landlords to take tenants who had not sufficient capital to cultivate the land. If that were the case, being interested in agriculture, as he was, and desirous as he was to get good tenants, he would not desire to see the law maintained. But he thought it unlikely that large capitalists would enter into the business in place of such tenants if this law were abolished; whereas, on the other hand, the capital which tenants applied to agriculture would be greatly diminished by the abolition of this law, because landlords would insist upon some security, and the tenant would be obliged to pay part of his capital into the bank, or make some other arrangement to satisfy the landlord of his ability to pay rent. Tenants would thus be placed at a great disadvantage, and their capital, which was said to be barely sufficient now, would be insufficient then in many cases to cultivate their farms, and the consequence would be that they would need to diminish their size and take smaller farms. As to the question of popularity, he thought it an entire mistake to say that tenant-farmers, as a general rule, were anxious to see this law changed. He perfectly admitted that a strong argument might be adduced from the number of Representatives from Scotland who were anxious to support this measure; but, in many cases, he believed, they came to that conclusion at the time of the last General Election under mistaken notions as to the general feeling of the tenantry on this question. As an illustration of this, he begged to inform the House that he had thought it desirable to make some inquiry into the feeling of the tenantry in the district he came from—namely, South Ayrshire. He issued a circular to every parish in South Ayrshire. He, unfortunately, had not got the document with him, not expecting the Bill to come on; but, of 450 circulars issued, he had received 195 answers. The tenants were in no way picked, but were taken from the valuation roll—the first 15 names in each parish, as far as he could recollect. The numbers were 110 to 75, or thereabouts, who declared themselves in favour of the existing law. It seemed to him that, unless it was more clearly proved than it had been in the speech of the hon. and gallant Member, that the law was injurious to agriculture, it was undesirable to alter it. He pointed out that, under this law, Scotland had made a most satisfactory advance in agriculture. The hon. Member concluded by moving the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day six months."—(*Sir William Cuninghame.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. LEEMAN said, the evidence adduced before the Select Committee that considered the principles on which this Bill proceeded ought to make the House hesitate before it assented to the second reading.

And, it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

House adjourned at ten minutes before Six of the clock.

HOUSE OF LORDS,

Thursday, 4*th April*, 1878.

MINUTES.]—*Sat First in Parliament*—The Lord Rodney, after the death of his father.

Public Bills—*First Reading*—Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.) * (61).

Second Reading — Threshing Machines (50); Marine Mutiny *.

Select Committee — Contagious Diseases (Animals) * (37), Lord Harlech added *v.* the Marquess of Salisbury.

Committee—Bishoprics (43-63).

Third Reading—Mutiny *, and *passed.*

ARMY—THE RESERVES.

QUESTION. OBSERVATIONS.

Lord CAMPBELL: My Lords, I wish to put a Question to the noble Viscount the Under Secretary of State for War, of which I have given him private Notice. Let me disclaim all idea of disparaging the steps which the War Office are now taking. My impression is that it is only by those steps that war can be averted and the Conference secured. The Question I wish to put—if Her Majesty's

Government see no public inconvenience in answering it—is, Whether any measures are contemplated in regard to the Militia, to pave the way for making that Force available abroad beyond the present limitations?

VISCOUNT BURY: The noble Lord asks me a Question, of which he has not given Notice, whether certain steps which he suggested on the 21st of March have been adopted by the War Office? I can only say that no such proposals have reached the War Office, and I therefore must request the noble Lord to give Notice in the usual manner.

FOUNDERING OF H.M.S. "EURYDICE."

QUESTION. OBSERVATIONS.

LORD DUNSANY said, he desired to ask his noble Friend who represented the Admiralty in their Lordships' House, Whether any steps have been taken to raise the *Eurydice;* and, whether, as had been asserted, she spread a quantity of canvas out of proportion as compared to other ships? That had been asserted in several papers, and perhaps his noble Friend would answer whether that was the fact or not? If it were so, it would go far to account for the accident. As to raising the ship—beyond the obvious advantage of recovering a vessel of some value, and the remains of those who were lost in her, in whom so many families must be interested, he wished to point out that a certain moral value attached to a successful effort to recover the loss sustained. It was not merely by successful engagements that the reputation of the Service had been sustained—sometimes as much credit could be gained by recovering a ship as by taking an enemy's. As an instance of this, he might mention that the *Gorgon,* a ship of war, was lost under extraordinary circumstances. She was blown up almost on to dry land—at all events, she was left on dry land—and the very skilful efforts of her crew were successful in restoring that ship to the service of the country. He wished, therefore, to know whether it was the intention of the Admiralty to take any steps for recovering the *Eurydice,* and whether that was to be done by the resources of the Navy or by means of a contractor? He trusted it would rather be by the resources of the Navy than by any other means; because it must be obvious that the experience that would be gained in recovering a ship like this would be of considerable advantage to the country in future wars. He was not aware whether, since the case of the *Gorgon,* there had been any case of a ship being recovered to the Service by the efforts of their own officers and sailors.

LORD ELPHINSTONE said, in answer to the Question of his noble Friend, he had to state that the Dockyard authorities at Portsmouth were making all the necessary preparations for raising the *Eurydice.* Divers were at work in removing the upper spars and sails, and other *impedimenta.* When that was accomplished, it was intended to attach four lighters to the wreck at low water, the effect of which would be that, as the tide rose, the vessel would lift; and she would then be towed into the shallow water of Sandown Bay. The ports, hatchways, and other openings would then be closed, and the vessel pumped out. Should the weather continue favourable for diving operations, it was hoped the vessel might be taken into Portsmouth Harbour in about three weeks' time. He need scarcely say that a strict and searching investigation would be made into the condition of the ship, and it was intended that the Court of Inquiry should not be held until these conditions were known. Whether anything would be discovered that might account for a catastrophe, that was without precedent in the annals of their Navy with regard to ships of this class, it was useless now to speculate on; but, for his own part, he must confess that he was not sanguine that such would be the case. With regard to the Question whether the *Eurydice* carried heavier spars or a greater spread of canvas than other ships of her class, he had to reply that she had precisely the same masts, yards, and sails as those carried by the 11—he thought—other ships of that class built by Sir Thomas Symonds, to compete with which the *Eurydice* was built by Admiral Elliot.

BISHOPRICS BILL—(No. 43.)

(*The Lord Steward.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

THE DUKE OF CLEVELAND said, that the counties of Durham, Northumberland, and Cumberland—especially in Durham, which see was not a large one —very strong objection was felt to the division of that see as contemplated by the Bill; but, at the same time, no doubt, when once it was determined that there should be an additional bishopric, the people of the new diocese would come forward, with their usual liberality, to find funds. He confessed he did not see any necessity for dividing the present diocese, and hoped that no immediate steps would be taken in that direction. He did not see why the funds of the present bishopric should be reduced by £1,000 a-year.

EARL BEAUCHAMP reminded the noble Duke that, on the occasion of the second reading of the Bill, the Bishop of Durham expressed his strong approval of the measure. Although the new see of Durham would not be a large one, he thought there were sufficient grounds for taking the subject into consideration; because, although the county of Durham was not large, that of Northumberland was, and he quoted the statistics showing the extent and population of Northumberland. The observations of the noble Duke struck at the Bill altogether; and it must, at the same time, be remembered that this was not a compulsory, but an enabling Bill.

House in Committee.

Amendments made.

On the Motion of the Earl of POWIS, the following words were added at end of Clause 2:—

("Such contributions may include any gift or bequest of real and personal property not exceeding the limits prescribed by this Act for the endowment fund of each bishopric; and the powers of donors to bestow and of the Ecclesiastical Commissioners to receive such gifts shall be the same as those enacted in the Act of second and third years of the reign of Queen Anne, chapter eleven, and of an Act of the forty-third year of the reign of King George the third, chapter one hundred and seven, enabling donors to vest gifts in the Governors of the Bounty of Queen Anne for the augmentation of the maintenance of the poor clergy for the benefit of ministers officiating in churches and chapels.")

THE EARL OF REDESDALE, who had given Notice of a new clause, enabling a Bishop—save the Bishops of London, Durham, or Winchester—who may be above 75 years of age, or have held a bishopric 25 years or more, to resign his seat in Parliament, said, that being Chairman of the Committee, he was unable to move his Amendment at that stage; he would, therefore, reserve it for the Report.

Clause 10 (New style of Bishop of Rochester).

THE ARCHBISHOP OF CANTERBURY moved to omit the clause which provides that the Bishop of Rochester shall, after the passing of this Act, be styled Bishop of Rochester and Southwark, and insert the following clause:—

("Notwithstanding anything contained in section 9, sub-section 2, of the Bishopric of Saint Albans Act, 1875, it shall be lawful for the person who at the passing of this Act is Archdeacon of Rochester and Saint Albans, if and when the Archdeaconry of Rochester shall have been severed from the Archdeaconry of Saint Albans under the provisions of the Bishopric of Saint Albans Act, 1875, to resign the archidiaconal jurisdiction conferred upon him as archdeacon of the Archdeaconry of Saint Albans by 'The London Diocese Act, 1863,' without thereby vacating the canonry in the cathedral church of Rochester annexed to the Archdeaconry of Saint Albans, and to continue to hold such canonry so long as he continues to be Archdeacon of Saint Albans.

("The Ecclesiastical Commissioners for England may pay out of their common fund any sum not exceeding two hundred pounds to the person who may upon such resignation be appointed Archdeacon of Rochester until the next avoidance of the canonry now held by the Archdeacon of Rochester and Saint Albans.

("'Parish' in the Bishopric of Saint Albans Act, 1875, shall be taken to have the same meaning with 'ecclesiastical parish' in this Act.")

The Report of the Amendments to be received on *Tuesday* next; and Bill to be *printed*, as amended. (No. 63.)

THRESHING MACHINES BILL—(No. 50.)

(*The Lord Walsingham.*)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD WALSINGHAM, in moving that the Bill be now read the second time, said, he was far from claiming that the Bill which he was about to ask their Lordships to read a second time was as complete a measure as it might ultimately be desirable to introduce for the purpose of diminishing the risk of accidents to agricultural labourers by machinery of this kind. He was aware that various accidents would occur from different kinds of machinery, and, perhaps, some even from threshing machines, which it was beyond the power or purpose of this Bill to prevent. But in recommending the Bill to their Lordships in its present form, he would urge its acceptance on the ground of an immediate and pressing necessity for some commencement of legislation in the direction indicated. The great majority of their Lordships were, probably, only too painfully aware of the dangers which attended the working of an ordinary unprotected threshing machine by young, unsteady, or inexperienced hands. He supposed there was scarcely a village, or, at least, scarcely a group of villages, in any of the corn-growing districts where an instance was not to be heard of in which some unfortunate labourer had not fallen a victim to the present system; and it was a significant fact that since the equivalent of the present Bill, owing to certain obstructive political tactics, failed to survive what was generally known as "the Massacre of the Innocents," in "another place," last Session, at least 10 or 12 fatal or serious accidents had been added to the sad list. By far the greater part of these accidents occurred from the men on the drum of the machine, before leaving off work, pushing the loose corn towards the feeder with their feet, instead of sweeping it with a broom. The feeder himself, who stood in a sort of box provided for the purpose, was not, with ordinary care, exposed to much risk of accident; but those who stood on the floor of the drum, should they inadvertently approach too near the mouth, or attempt, as they often did, to kick the corn forward towards where the beaters were revolving, might in a moment be drawn into the machinery and fatally or fearfully injured. Now, their Lordships would be aware that several different degrees of protection might be afforded by means of the various inventions and appliances which had been devised for that purpose. Probably, the most perfect and complete safety would be insured by the adoption of some self-acting feeding apparatus—such as that of Mr. Wilder, which had been much exhibited and approved; and he, for one, would gladly see the use of some such protection made compulsory by law; but the cost of this apparatus, amounting to about £20 on each machine to which it was applied, would be at once a heavy tax upon farmers, and would create strong opposition to the establishment of the compulsory system if insisted on in such a form; whereas, by some more convenient and less costly method, an almost equal protective result might be attained. He was assured that a very good and sufficient guard could be applied by means of a simple rail or fence, which could be raised when work was going on and lowered at other time, and that the actual cost of such a guard would not be more than from 15*s.* to 20*s.* Now, if the present Bill would only insure the invariable adoption of some such simple precaution as that, it would probably reduce the number of accidents by 60 or 70 per cent, and so far fulfil the best hopes of its promoters. It might be argued that the labourers ought to have sense enough to take care of themselves; but, unfortunately, among that class of men, too much familiarity seemed to breed a certain contempt for the dangers arising from momentary inattention or carelessness; and he need hardly remind their Lordships that there were many precedents for protective legislation—such as were to be found, for instance, in the Acts relating to factories and coal mines. He would gladly see the provisions of the Bill extended to several other kinds of machinery, such as steam saws and chaff-cutters; but if it should be found desirable to deal with this subject, a very short supplementary Act would easily effect the object; whereas, since this Bill had now obtained the unanimous assent of the other House of Parliament, it would be most unfortunate, by the introduction of any unnecessary Amendments, to run the risk of consigning so useful a measure to the fate which had befallen it on more than one former occasion in that "other place." Whether their Lordships concurred in that view or not, he would venture to express a hope that they would at least approve the principle of the Bill, and now read it a second time.

Moved, "That the Bill be now read 2ª."—(*The Lord Walsingham.*)

THE EARL OF MORLEY asked why the Bill was not to extend to Ireland or Scotland?

LORD WALSINGHAM said, he did not exactly know, but believed it to be the result of the opposition which the proposal to include them had met with in the other House last year.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

METROPOLIS IMPROVEMENT PROVISIONAL ORDERS CONFIRMATION (BOWMAN'S BUILDINGS, MARYLEBONE, &C.) BILL [H.L.]

A Bill to confirm certain Provisional Orders of one of Her Majesty's Principal Secretaries of State for the Improvement of certain unhealthy areas within the Metropolis—Was *presented* by The LORD STEWARD; read 1ª, and *referred* to the Examiners. (No. 61.)

House adjourned at Six o'clock, till To-morrow, Eleven o'clock.

HOUSE OF COMMONS,

Thursday, 4*th April* 1878.

MINUTES.]—NEW WRIT ISSUED—*For* Middlesex, *v.* Lord George Hamilton, Vice President of the Committee of Council on Education.

WAYS AND MEANS—*considered in Committee—Resolutions agreed to* (The Financial Statement).

PRIVATE BILL (*by Order*)—North Eastern Railway, 2°*.

PUBLIC BILLS — *Ordered — First Reading —* Local Government Provisional Orders (Abingdon, &c.) * [142].

Second Reading — Public Works Loans [138], *debate adjourned.*

Committee — Sale of Intoxicating Liquors on Sunday (Ireland) [44]—R.P.

QUESTIONS.

ASSURANCE ACT, 1870—ACCOUNTS OF INSURANCE COMPANIES.

QUESTION.

MR. PEASE asked the President of the Board of Trade, with reference to the late trial of Blake *v.* The Albion Life Assurance Society, Whether it is the intention of Her Majesty's Government to introduce a short amending Bill for the purpose of giving to the Board of Trade those further powers relating to the accounts of Insurance Companies which it has been shown the Board of Trade wished to exercise, but which the Law Officers of the Crown informed them in 1873 were not conferred by the Life Assurance Companies Act of 1870; and, whether he has any objection to lay before Parliament from time to time, in the form of a special Report, any completed correspondence which the Board of Trade may hold with Insurance Companies on the subject of their accounts, where such accounts appear, in the judgment of the Board, not to be such as the Act of 1870 requires, instead of merely publishing such correspondence in the annual Blue Books, thus avoiding any delay in calling the attention of Parliament to such unsatisfactory statements of accounts, inasmuch as it appears that the attention of the Board of Trade was first directed to the accounts of the Albion Assurance Society as far back as 1873, and they were published then, and for four years afterwards, in the annual Blue Book without note or comment?

SIR CHARLES ADDERLEY: Sir, the Government have no intention of introducing a Bill for the purpose of giving the further powers referred to in the Question. It appears to the Board of Trade to be more in accordance with the spirit of the Assurance Act of 1870, that correspondence with any companies which they determine to publish should be attached to the statements and accounts laid before Parliament annually, in accordance with the statute, rather than it should be specially laid before Parliament. It must be borne in mind that the Board of Trade have no information beyond the Returns prepared and deposited by the companies themselves, and no power whatever to call for any, and that the principle of the Assurance Act is simply to make the companies' own financial statements accessible to the public—the Board of Trade being merely responsible, as was fully explained in answer to the hon. Member's Question of the 19th of March last, for seeing that these statements are rendered as required by the Act.

ARMY—THE ROYAL ARTILLERY.

QUESTION.

MR. PARNELL asked the Secretary of State for War, Whether it is true that of seven staff sergeants of the Royal Artillery, who have been commissioned from the ranks since the 1st November, 1877, only one had seen any foreign service, or had any practical knowledge of the duties of an artilleryman; and, whether all the others had spent the entire or the greater part of their service at desk and office work; and, if so, whether it is the practice of the authorities in raising men from the ranks of the Royal Artillery to have regard rather to the civil capabilities than the professional and military qualifications of those promoted?

Colonel LOYD LINDSAY: Sir, there have been only five non-commissioned officers of the Royal Artillery who have been commissioned from the ranks since the 1st of November last. Of these, three have served abroad and are practical artillerymen. The other two are men of great intelligence and have special claims to promotion, and if they have been employed at the desk, as I believe they have, hon. Members of this House will not think they are less deserving of promotion on that account. With reference to the apprehension expressed by the hon. Member for Meath that in making promotion in the Royal Artillery the military qualifications of the men are less considered than their civil capacity, I can assure him that such is not the case. The men are promoted on their merits, and, as far as possible, no class of good service is overlooked.

Mr. PARNELL asked, Whether any of the men referred to had seen foreign service?

Colonel LOYD LINDSAY said, he had already stated that three had seen foreign service; they were proved artillerists.

THE EASTERN QUESTION—THE CONGRESS.—QUESTIONS.

OBSERVATIONS.

Mr. GLADSTONE: I beg to ask Her Majesty's Government, Whether, in the communications with the Russian Government, which have lately been presented to Parliament (No. 24, 1878), it was the intention of Her Majesty's Government to reserve to themselves the liberty of withdrawal from the Congress upon the proposal, by way of amendment of the Treaty, or otherwise, to discuss any matter of which they might hold the discussion to be inadmissible, and without sharing in, or waiting for, the discussion itself?

The CHANCELLOR of the EXCHEQUER: Sir, I confess that when my right hon. Friend gave Notice of this Question the other day, I did not very clearly understand it; nor can I, indeed, now say, after having given to it considerable subsequent consideration, that its meaning is quite clear to me. It looks rather like an argumentative Question, and I should not be in Order by answering it with anything in the form of an argument. If it is merely a Question as to fact; as to any reservation on the part of Her Majesty's Government, in their communications with the Russian Government, as to their right of withdrawal from the Congress before discussing any matter of which they might hold the discussion to be inadmissible, I do not think there is anything in this Correspondence which touches upon such a question. The Correspondence between the Government and the Russian Government has reference solely to the desire on the part of Her Majesty's Government to have a fair and distinct understanding, that if they entered the Congress every Article of the Treaty will be placed before the Congress.

Mr. GLADSTONE: Mr. Speaker, if I may be permitted to speak in order to explain the Question, I should be glad to do so. ["No, no!" *and* "Order!"] I say with the permission and indulgence of the House. [*Cries of* "Order!"] I shall not touch on any argumentative matter. This is a question to which I attach the greatest importance, and this is the reason that I ask that indulgence may be given me. [*Loud cries of* "Order!"] When hon. Gentlemen think I am trespassing, I have no doubt they will avail themselves of opportunities not unknown to them to signify their views. I may have misunderstood the effect of the Correspondence itself, and what I propose to say will, perhaps, enable the Government to set me right. The quarrel between the Russian Government—["Order!" *and* "Oh!"]—the difference between Russia and England upon which, for the present, the Congress has terminated, has arisen in this way. That the Russian Government—["Order, order!"]—that the Russian Government had admitted the right of every Power to raise whatever question they pleased; that that Power might please—["Order!"]—but claimed for themselves, if I understand it aright——

Mr. ROEBUCK: I rise to Order. I wish to ask you, Sir, whether for any single Gentleman, however powerful he may be, to bring on a discussion under the privilege of putting a Question, without some Motion or other before the House, and without any other Member being able to make any remark, is in Order?

Mr. SPEAKER: In answer to the Question of the hon. and learned Member for Sheffield, I have to say that when the right hon. Gentleman, on rising, said he desired to give an explanation in order to make his Question clear, so far he was entirely in Order; but I am bound to add that some of the right hon. Gentleman's subsequent observations related to matters which were rather for debate.

Mr. GLADSTONE: I appealed to the indulgence of the House, and did not wish to make any claim at all of right when I asked to make an explanation. I knew I had no claim otherwise to trespass on its time. But as you, Sir, have ruled against me, perhaps I may be permitted to put the matter thus—Does Her Majesty's Government propose to leave to the Russian Government the same liberty of withdrawing from the Congress at such period as it may think proper in and during the discussion, as it claims and intends to do for itself?

The CHANCELLOR of the EXCHEQUER: I understand it to be a matter of course that any Power could have the right of withdrawing from the Congress, and therefore it was of importance that Her Majesty's Government should ascertain before going into the Congress, whether certain matters were or were not to be treated as inadmissible, and as necessarily leading to the withdrawal of the Powers. That was why Her Majesty's Government put the question, with the view of ascertaining whether the whole of the Treaty would be put before the Congress. But I am afraid it is impossible for me to give an answer to my right hon. Friend, without entering into an argument, which would not be convenient to the House, or perhaps altogether in Order.

Mr. GLADSTONE: I will take the opportunity of considering whether I shall raise the question on going into Committee of Supply to-morrow, with the view of defining the ground of discussion when we come to the general discussion. I now beg to ask the further Question of which I have given Notice—namely, To ask Her Majesty's Government, with respect to the proposal of Germany, made on the 15th of March, that a preliminary Conference should be held at Berlin to settle the course of procedure at the Congress, Whether the refusal of Her Majesty's Government, on the following day, to discuss that proposal so far as the point in dispute was concerned is to be considered as absolute; and, if so, whether they can conveniently state the reason for that refusal?

The CHANCELLOR of the EXCHEQUER: The despatch of Lord Derby dated the 16th of March (No. 13) seems, I think, to answer the Question. The proposal having been made by the German Ambassador, Lord Derby says—

> "I told his Excellency that so far as related to the question immediately before us—namely, the competence of the Congress to discuss any part that it might think fit of the Russo-Turkish Treaty, I saw no advantage in the preliminary Conference which was proposed. Her Majesty's Government had publicly and frequently expressed their determination not to go into Congress, unless this point were conceded; and I could not hold out the expectation that they would be induced by any amount of discussion to alter their decision. As regarded the question of a preliminary Conference generally, I was not in a position to express a positive opinion, though much inclined to doubt its probable usefulness. On that subject I should prefer to wait for further explanations as to what were the questions intended to be dealt with in this manner, and why it was thought better not to reserve them for the meeting of the Congress."

The points which are put by my right hon. Friend are answered in that despatch.

Mr. FORSYTH asked Mr. Chancellor of the Exchequer, Whether application has been made to the Governments of Germany, France, and Italy to permit the Correspondence with them relative to the meeting of the Congress to be made public; and, if so, whether those Governments, or any of them, have refused such permission?

The CHANCELLOR of the EXCHEQUER said, he thought his hon. and learned Friend and the House would excuse him from answering that Question. It was scarcely consistent with the spirit of the answer which had been given, that Her Majesty's Government did not feel at liberty to publish confidential Correspondence, for him to answer the Question.

ELEMENTARY EDUCATION ACT, 1870—SCHOOL INSPECTION.—QUESTION.

Mr. O'REILLY asked the Chief Secretary for Ireland, Whether (under 31 Vic., c. 25, s. 6), when satisfied by the report of the inspector that a school is fit for the reception of a certain number of children, he so certifies; and, if he limits the number of children for which he certifies the school in any other way; if so, under what section of the Act he does so?

Mr. J. LOWTHER: Sir, according to the interpretation of the Act, which I am advised is correct, and which has been acted upon by my Predecessors, the duty thrown upon the Chief Secretary is not to certify the number of children a school is fit to receive, but only to certify the number to be paid for by the Treasury. It is not within my province to limit in any other way the number of childen for which a school is certified.

CHINA—OUTRAGE AT HONG KONG.

QUESTION.

Sir HARCOURT JOHNSTONE asked the Secretary of State for the Colonies, Whether his attention has been directed to a recent outrage committed under the regulations of the Chief Inspector of Police at Hong Kong, which is now forming the subject of inquiry by a Commission appointed by the Governor; and, if he will cause special investigation to be made as to the manner in which the Revenue derived from licensing houses of ill-fame is raised and expended for the service of the colony?

Sir MICHAEL HICKS-BEACH: Sir, my attention has been directed to reports of the occurrence alluded to in the first part of the hon. Member's Question, which are now being inquired into by a Commission appointed by the Governor of Hong Kong. I do not think any opinion can properly be expressed on the subject until that Commission has reported, and its Report has been received and considered. I think the hon. Member is under some misapprehension as to the amount of the revenue mentioned; but the Commission will doubtless inquire into the point, and I will take measures to secure that they shall do so.

THE EASTERN QUESTION—THE CONGRESS.—QUESTIONS.

Lord ROBERT MONTAGU asked Mr. Chancellor of the Exchequer, Whether any Despatch has been received regarding the proposed Congress or Conference, or whether negotiations have been in any other manner continued or re-opened with that object in view since the receipt by Her Majesty's Government of the Despatch of Count Schouvaloff (No. 19 of Papers 24), dated 26th March?

The CHANCELLOR of the EXCHEQUER: No, Sir, there have been no further negotiations.

Lord ROBERT MONTAGU asked Mr. Chancellor of the Exchequer, Whether any answer, and what answer, was made by Her Majesty's Government to the Despatch from Vienna of March 14, rehearsed in Lord Derby's Despatch, No. 9 of Papers 24, especially as to the proposal that the majority of members of the Congress should determine ("Europe will decide") as to what stipulations in the Treaty affect European interests, and that the questions themselves should also be determined by the majority?

The CHANCELLOR of the EXCHEQUER, in reply, said, that no answer was made to the telegram referred to. He did not understand that the proposal of which the noble Lord spoke had ever been made; and such a principle had never been admitted, and never would be by any Government.

THE RAILWAY PASSENGER DUTY.

QUESTION.

Mr. M'LAGAN asked Mr. Chancellor of the Exchequer, Whether his attention has been called to an official statement recently made, to the effect that

> "it would not be easy to provide any substitute for the passenger duty as at present levied which would not operate unfairly and unequally upon the different Companies;"

and, if so, whether this statement is to be taken as a correct expression of the latest views of the Government with regard to any amendment of the provisions of the Law relating to that duty?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, the observation referred to in the Question, recently made by Lord Henniker, was not to be regarded as a complete statement of the views of Her Majesty's Government upon the subject, but merely as an expression of opinion on one part of the case.

THE EASTERN QUESTION—RUSSIA—RETROCESSION OF BESSARABIA.

QUESTION.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether he can make any further statement respecting the "trustworthy person" alluded to by Sir Henry Elliot in his Despatch of March 23rd, as having communicated to him the declaration made by Prince Gortchakoff respecting the retrocession of Bessarabia?

MR. BOURKE, in reply, said, he had told the House yesterday that the trustworthy person alluded to was the Roumanian agent at Vienna. The right hon. Gentleman the Member for Birmingham, and the right hon. Member for Greenwich, asked yesterday who was the intermediary — the agent at St. Petersburg or the agent at Vienna. As far as he (Mr. Bourke) could gather from the telegram, the transaction stood thus—Prince Gortchakoff made the statement to the Roumanian agent at St. Petersburg, who reported it to his Government, and the Roumanian Minister for Foreign Affairs reported it to the Roumanian agent at Vienna, who was the trustworthy person referred to. He trusted soon to be able to place a Despatch on the Table of the House which would place the matter in the clearest possible light.

H.M.S. "BEAGLE"—JUDICIAL POWERS OF NAVAL COMMANDERS—EXECUTION OF A NATIVE OF TANNA.

QUESTION.

DR. KENEALY asked the First Lord of the Admiralty, Whether any measures have been taken, or are contemplated by the Admiralty, to bring to trial Lieutenant Gaffin, of Her Majesty's ship "Beagle," and Lieutenant Pugh, of Her Majesty's schooner "Renard," for the execution, under form of Law, of Nokwai, a native of Tanna, on the 25th of September last, on board the said ship "Beagle?"

MR. W. H. SMITH, in reply, said, it would be in the recollection of the House that the Admiralty had called for further information in reference to the matter, and they were informed that such information was on its way to this country. Until it was received, he did not think it right to make any further statement on the subject.

DR. KENEALY gave Notice of his intention to draw the attention of the House to the matter on going into Committee of Supply. He wished before framing his Motion to ask, when the answer of Commodore Hoskyns might be expected?

MR. W. H. SMITH said, the document left the Australian Station on Monday last, and it might, therefore, be some five or six weeks before it reached this country. When received, the answer, together with the despatch to which it was an answer, would be laid on the Table of the House.

THE SUGAR CONVENTION, 1877.

QUESTION.

MR. WAIT asked the Under Secretary of State for Foreign Affairs, Whether it is true that the Government of Holland have declared their inability to accept the provisions of the Draft Convention of March 1877 on the Sugar Question, and their regret that they can find no basis for an International arrangement?

MR. BOURKE: Sir, the Netherlands Government have declared their inability to carry out the draft Convention of last year, on the ground that they find it impossible to overcome the opposition of the Second Chamber of the Netherlands Legislature to refining in bond. Under the circumstances Her Majesty's Government are in communication with the Governments of France and Holland as to the course which it will be expedient to pursue.

ELEMENTARY EDUCATION ACT, 1876—SCHOOL CERTIFICATES OF BIRTH.

QUESTION.

SIR JOHN KENNAWAY asked the Vice President of the Council, If he can now give the substance of the promised Minute with regard to the means of obtaining a certificate of birth for the child's school-book, as required by the Education Act of 1876; and, whether any arrangement is possible whereby a parent may obtain a duplicate certificate without extra charge?

VISCOUNT SANDON: Sir, I am glad to be able to give my hon. Friend a Minute which we have drawn up on this subject, and which will be laid on the Table of Parliament immediately. It is as follows, though perhaps some words may be altered. As we have inquiries from all quarters about it, I had, perhaps, better read it—

> "The usual form of the child's school-book will continue to be distributed by the Department; but in cases where the local authority think fit to dispense with the registrar's certificate of the date of a child's birth, it shall be lawful for the local authority, on the production of a baptismal certificate, an extract from the vaccination register, or such other evidence as they may consider sufficient, to direct an entry of the child's age to be made in the child's school-book, under the hand of their clerk, or other person specially deputed for the purpose, such as a school manager, teacher, or other responsible person resident in a school district. The entry when once made must not be altered. It shall not be competent for the local authority to insist upon the production of the registrar's certificate of birth when the managers of a school offer reasonable evidence of the age of the child, unless the local authority be prepared to pay the cost of procuring the registrar's certificate."

As to the second part of the Question, it seems to me worthy of consideration whether a parent should not receive gratuitously, on the registration of the birth of his child, a copy of the register, something in the nature of a counterfoil. Any arrangement of this kind, however, would have to be made by my right hon. Friend the President of the Local Government Board. I have no doubt that if my Successor in the Education Department thinks the plan worth suggesting, it will receive every consideration at the hands of my right hon. Friend.

EDUCATION DEPARTMENT—SCHOOL BOARD ELECTIONS.—QUESTION.

MR. SAMPSON LLOYD (for Lord FRANCIS HERVEY) asked the Vice President of the Council, Whether the Education Department can make arrangements, in accordance with the usual practice in London, for the publication of the number of voters recording their votes, as well as of the number of votes polled, for each candidate at School Board elections?

VISCOUNT SANDON: Sir, the question of the publication of the number of the voters recording their votes as well as the number of votes polled for each candidate during a school-board election is one well worthy of consideration, especially when it is brought forward by one who has such a thorough knowledge of educational subjects as my noble Friend the Member for Bury, and when the practice has been adopted with considerable advantage in London. The matter has been under the consideration of the Department. I cannot yet say what course they will feel themselves able to adopt about it, but I have no doubt that my Successor in the Office will give the subject his best consideration.

EDUCATION DEPARTMENT—RELIGIOUS INSTRUCTION.—QUESTION.

MR. SAMPSON LLOYD asked the Vice President of the Council, Whether the Education Department can arrange that religious instruction may be given in the class room of a public elementary school to separate classes or divisions of the school, either at the beginning or end of the meeting, even though the other classes of the school may be then receiving secular instruction?

VISCOUNT SANDON: Sir, serious complaints have been made to us that the religious instruction of the schools has greatly suffered from the rule that the children of all ages should receive such teaching at the same time, and it has been felt a grievance that managers and others interested in the welfare of the children should be unable to give such teaching on any day when the school is open to any separate class of the school, at any of the various periods permitted by the Act of Parliament, without obliging the whole school to be under similar religious instruction. We have given our best consideration to the matter, and we hope to be able to arrange that, provided that at each meeting of the school secular instruction is continuously given for the prescribed number of hours, by or under the immediate superintendence of the head teacher, and that there is a class-room separate from the main school-room, the hours of secular instruction need not be the same for the whole school, and that religious instruction may be given in the class-room to separate classes or divisions of the school, either at the beginning or the end of the meeting, according to the provisions of the Act. If we did not make some such arrangement as this, I believe that we should be going against the wish of Parliament that, while all the provisions of the Conscience Clause should be maintained in the strictest manner, no impediment should be raised by the regulations of the Education Department to the religious teaching of the children of the country, the paramount importance of which has been acknowledged by all parties in the State.

EDUCATION DEPARTMENT — GRANTS IN ELEMENTARY SCHOOLS.

QUESTION.

Mr. PELL asked the Vice President of the Council, Whether his attention has been called to the loss of grants in the case of elementary schools compelled to engage an uncertificated teacher on the understanding that he or she obtained the certificate within 12 months; and, whether he can suggest any means of mitigating this grievance?

Viscount SANDON: Sir, our attention has been called from several quarters to what certainly appears a real grievance, and we have endeavoured to meet the difficulty by a Minute, which I hope will shortly be laid upon the Table. Perhaps the simplest way in which I can explain the matter is by giving a sketch of the Minute, which will probably be to the following effect:—

> "If the Inspector reports favourably of a school and recommends the issue of a certificate to the teacher without examination, or that the teacher be admitted to examination, the grant may be made, subject to the fulfilment of the usual conditions, for the year then ending, but will not be renewed, unless in the meantime the teacher has passed the examination for a certificate, or has been replaced by a certificated successor."

I trust this answer will be satisfactory to my hon. Friend.

EDUCATION DEPARTMENT—THE LONDON SCHOOL BOARD — RELIGIOUS TEACHING.—QUESTION.

In reply to Mr. A. Mills,

Viscount SANDON: Sir, I have seen with much pleasure the important circular to the teachers in the London Board schools respecting religious teaching which has been very recently issued by the London School Board. It is in complete agreement with their former action on the subject, and I believe represents the general feeling of the country. If my hon. Friend will move for the Paper, we will ask for a copy of it from the London Board, and we shall be happy to lay it on the Table.

THE EASTERN QUESTION—THE CONGRESS.—NOTICE.

Mr. GLADSTONE: I beg to give Notice that to-morrow evening, on going into Committee of Supply, I shall inquire, Whether Her Majesty's Government required of Russia that she should undertake, before the assembling of the Congress, not to withdraw therefrom before the discussion of any proposal which any Power may make at the Congress; and, whether they intend to place their own liberty of withdrawal under a similar limitation? If my right hon. Friend chooses to answer the Question now, it will save him and me trouble to-morrow.

PARLIAMENT—PRIVILEGE.

OBSERVATIONS.

Mr. PARNELL said, he was most unwilling to intervene between the House and the Chancellor of the Exchequer at the present time; but the House had always conceded precedence to questions of Privilege over other matters, in the interest of discussion and debate. He, therefore, ventured to hope that the House would concede to him the same privilege on the present occasion which it had always conceded to individual Members on former occasions. It was with very great regret that he was obliged to draw attention to articles in *The Times* of March 26, *The Globe* of the same day, and *The Evening Standard* of the 29th of March, in which were libels concerning hon. Members of that House in their capacity as Members; and he should move that the language in those articles was a breach of the privileges of this House. Sir Erskine May, in his valuable work on Parliamentary practice, told them that on several occasions libels upon Members of the House had been constantly punished, and he (Mr. Parnell) thought he should be able to prove that these articles contained libels upon several Members of the House who were mentioned by name, and that they contained offensive imputations and misrepresentations which were also contrary to the privileges of the House of Commons. Sir Erskine May said, that in order to constitute a breach of Privilege any libel on a Member of the House must be said about that Member's character and conduct in his capacity as a Member; because the remedy for what was said about him as a magistrate, an officer in the Army or Navy, or in his private capacity, could be brought under the cognizance of the Courts of Law. Now, the libels of which he (Mr. Parnell) had to complain had been written about hon. Members in their capacity of Members of this House; and he contended, after certain portions of the articles had been read by the Clerk at the Table, the House ought to determine to punish the editors and publishers of the journals to which he referred. Sir Erskine May stated that on April 22, 1669, it was resolved that the publishing of the names of Members of this House, and reflecting upon them and misrepresenting their proceedings, was a breach of Privilege and destructive of the freedom of Parliament. Although that Resolution was of ancient date, he hoped, as they had a Conservative Government in power, with their respect for ancient institutions, they would be prepared to uphold that Resolution of 1669, and he hoped that the first and last part of the articles would be read by the Clerk at the Table. He would not inflict on the House the whole articles, and he merely asked that the first and the last line should be read, while the rest might be taken as read. He would point out to the House the precise portion of the articles of which he had to complain. It would be within their recollection that on the memorable occasion last Session when he was ordered to withdraw from the House, in order that his Parliamentary conduct might be considered, the Speaker had ruled that wilful obstruction of the Business of the House was contempt of the House. Now, he complained that some of the London newspapers had taken upon themselves to accuse certain Members of Parliamentary contempt, and had thus usurped functions which properly belonged to the Speaker and the House. He also complained, as an unprotected Member, and one who came from a country the Press of which was not represented in the House, that the London newspapers, who were given exceptional privileges, had abused those privileges to the prejudice of Members who came from Ireland. The London Press monopolized nearly all the seats that were set aside for the purpose of reporting the debates; consequently, the Irish Members were placed at a considerable disadvantage with regard to the utterances which they, from time to time, made. Where they were not left unreported, they were misrepresented, and it was impossible for them to set themselves right. It was, therefore, absolutely necessary that the matter should be brought under the notice of the House. In *The Times* of March 26 some criticisms were published with reference to the conduct of certain Irish Members in Committee on the Mutiny Bill. He found it asserted that not only was there a prolonged discussion before the Speaker left the Chair, but in Committee the 1st clause was, with great ingenuity, made the vehicle of weary speeches with regard to the manner in which the country was governed, to the relations between England and India, the means which were taken to suppress the Indian Mutiny, the military arrangements of South Africa, the drift of public opinion in Sunderland, the extent to which individual Members of the Government, or the Government itself, could be made chargeable with breach of faith, and many other topics not having any very clear bearing on mutiny or desertion. He also found it asserted that during the debate, a persistent opposition was made by a small section, and obstruction was as rampant as on any occasion during the last two Sessions. He complained that that article, with that ingenuity for which *The Times* was remarkable when it was dealing with Irish subjects, had deliberately distorted and misrepresented the facts of the case. It put down to the credit of the Members who initiated the discussion on the particular Amendment in question the whole of what followed. He would first deal with the observations in *The Times* as to the extent to which individual Members of the Government, or the Government itself, might be accused of a breach of faith. That discussion was not initiated by him, but by the the Secretary of State for War. They were then told that the subject of public opinion in Sunderland was brought into the debate, and it was left to be inferred that Irish Members were responsible for it; but it would be within the recollection of the House that the hon. Member for Stoke (Dr. Kenealy) and the hon. and gallant Baronet the Member for Sunderland (Sir Henry Havelock) originated the discussion. But it was to the concluding part of the article to which he wished to call particular attention.

Sir GEORGE JENKINSON rose to Order, and inquired whether the hon. Member was in Order in bringing this subject under the notice of the House, before he had read the whole of the article alleged to be libellous, and specified the precise libel alleged—so that the House might judge whether any libel or breach of Privilege had really been committed or not—and whether he was entitled to enter into extraneous matters on a question of Privilege?

Mr. SPEAKER: The hon. Member for Meath is bound to confine himself strictly to the question of Privilege which he has brought before the House.

Mr. GORST also rose to Order, and asked, whether the hon. Member in bringing before the House a question of Privilege of that kind, was not bound to begin by having the passages of which he complained read by the Clerk at the Table? Should the House, on hearing the article complained of read, be of opinion that they did not constitute a breach of Privilege, they might be saved a long and, perhaps, useless discussion. For his part, he had been listening attentively, and, so far, was unable to say whether a breach of Privilege had been committed or not.

Mr. SPEAKER: The ordinary course under the circumstances is that the article complained of be read by the Clerk at the Table. The hon. Member is certainly exceeding the ordinary latitude allowed to hon. Members in bringing forward questions of Privilege, in making remarks which scarcely appear to be relevant to the matter before the House.

Mr. PARNELL said, that his charge of breach of Privilege was founded on the decision of Sir Erskine May, who said that libels on Members had been constantly punished; and also on the Resolution of April 22, 1669. He did not desire that the whole of the Articles complained of should be read, because they contained a good deal of matter which he did not object to. He had only proposed to read the passages which he maintained were libellous; but as it had been ruled that they must be read by the Clerk at the Table, he would bring them up for that purpose.

The hon. Member accordingly did so.

Mr. SPEAKER: When an hon. Member complains of a breach of Privilege having been committed by the publication of what he regards as a libel on a Member of this House, he is bound to bring up the newspaper itself in which the article complained of appears. The hon. Member having failed to take that course, and having brought up cuttings from newspapers instead, the question of Privilege which he has brought forward cannot now be entered upon.

Mr. PARNELL said, that he would bring the newspapers in question as soon as he could procure them, and that he would raise this question of Privilege on some subsequent day.

ORDERS OF THE DAY.

WAYS AND MEANS—FINANCIAL STATEMENT.—COMMITTEE.

Ways and Means — *considered* in Committee.

(In the Committee.)

The CHANCELLOR of the EXCHEQUER: Sir, although I hope to be able to render the Statement which I have to make to the Committee as concise as possible, and not to trespass for any inordinate length of time upon their attention, yet as that Statement must necessarily be somewhat complicated, I must request the kind indulgence and forbearance of the Committee while I discharge the duty that has devolved upon me. What renders the Statement I have to make upon the present occasion complicated is, what hon. Members will at once observe for themselves—that is to say, that we have to deal, not only with the ordinary Revenue and Expenditure of the year just closed, and with the Estimates of the Revenue and Expenditure for the year we have just entered, but we also have to consider an extraordinary Expenditure arising out of the extraordinary Supplies which were voted last year in the form of a Vote of Credit for £6,000,000, which Vote will affect both the Statement with regard to the finances of last year, and, of course, also the Estimates for the year upon which we are now entering.

I will, in the first instance, review the finances of the last year, and also give an estimate of the finances of the year we have entered, without reference to this extraordinary Expenditure; and, therefore, I will begin in the ordinary way to which the House is accustomed by stating the Revenue and Expenditure of the year 1877-8. I promised last year, when I made my Financial Statement, that I would supply a printed statement of the items of the Budget. I find that there would be an inconvenience of a serious character if such a statement were printed and prepared for distribution before the Chancellor of the Exchequer made his Statement in the House. But what I have done is to have prepared an account which, I think, will be found full enough, and in which the figures that I may have to propose will also be included, which will be moved for to-night, and will be in the hands of hon. Members I hope to-morrow morning, or, at all events, in the course of to-morrow. Of course, it is not to be of use for discussion to-night; but it will be of use in a future discussion.

Well, now with regard to the Revenue of 1877-8. I am happy to be able to tell the Committee that which I have no doubt they have already gathered from the sources of public information, that the Revenue has turned out very satisfactorily, and that it has fully answered the expectations which I ventured to form of it at the beginning of the year. I was told at the time —though my Estimates appeared to myself and to my advisers to be of a very moderate and prudent character— that they were over sanguine; that we had probably a bad year before us; and that I should be disappointed in the Estimates that I had formed. Well, I certainly was told that with so much authority that I should have been alarmed, if it had not occurred to me that upon every occasion on which I have as yet had the honour of bringing forward a Financial Statement in this House similar prophecies had been heard, and had been falsified by events. However, I find that the Customs, which I had estimated would produce £19,850,000, produced the actual sum of £19,969,000—an increase of more than £100,000. The Excise, which is the only item on which I have been disappointed, I estimated at £27,500,000; it has produced £27,464,000. Stamps, which had been estimated at £10,920,000, produced £10,956,000. The Land Tax and House Duty, which had been estimated at £2,560,000, produced £2,670,000. The Income Tax, which was estimated at £5,540,000, produced £5,820,000. The Post Office, which was estimated at £6,100,000, produced £6,150,000. The Telegraph Service, which was estimated at £1,300,000, produced £1,310,000. The Crown Lands, which were estimated at £410,000, produced exactly that amount. The Interest on Advances for Local Works, and on Purchase Money of Suez Canal Shares, which had been estimated at £949,000, produced £949,883. And the Miscellaneous, which had been estimated at £4,017,000, produced £4,064,415. Thus the total Revenue, which was estimated at £79,146,000, produced £79,763,298, being an excess of Revenue over the Estimates of £617,298.

I should be uncandid if I did not admit that there are circumstances which, to some extent, explain that excess. Within the last week or 10 days an apprehension has prevailed among some classes that there might be an increase of taxation, and persons who were interested in articles upon which they conceived it was possible or probable that any increase of taxation might be made, entered those articles for consumption more largely than would otherwise have been the case. There has thus been a larger quantity than usual of certain commodities—such as tea and spirits—brought into the country within the last two or three weeks. I believe I am not far wrong in conjecturing that about £100,000 increase in the Customs, and that £200,000, or more than that, in the Excise, is due to this fact. It is rather difficult to be certain; but comparing particular weeks of one year with the other, it seems probable that something like £350,000 of increase may be due to that cause. However, it is evident from the statement which I have made, that although we have certainly had a very bad year—although I regret to say there has been no rebound from the commercial depression and general uneasiness which prevailed at the beginning of the year—the Revenue has kept itself up in a remarkable manner.

I will turn from that to the Expenditure. And with regard to the Expenditure, I may state, first of all, that the permanent charge of the Debt was £28,000,000. The Interest on the Temporary Loans for Local purposes was £212,827; the Interest on some Exchequer Bonds that were raised in order to pay for the Suez Canal Shares was £199,923, and the other Consolidated Fund Charges were £1,641,585. These items connected with the Debt and the Consolidated Fund Charges amounted to £30,054,335. The Army Charge was £14,607,445; the Home Charges of Forces in India, £1,000,000; Army Purchase Commission, £504,720; the Navy, £10,978,592—making a total of Military Charges of £27,090,757. The Miscellaneous Expenditure was £13,982,553; the Expenditure in the Customs and Inland Revenue Department, £2,688,267; in the Post Office, £3,185,346; for the Telegraph Service, £1,139,237; for the Packet Service, £763,000—making a total charge for the Revenue Department of £7,775,850. Therefore, there was a total Expenditure of £78,903,495, showing a surplus of income over ordinary expenditure of £859,803. The total Expenditure of the year was, as I stated, £78,903,495; the Expenditure of the year before was £78,125,227, and the increase upon the Expenditure of the year before was £778,268. The increase is chiefly due to this cause—the permanent charge of the Debt was £300,000 more than in the preceding year; it has now reached the normal amount of £28,000,000. The Army Charge was £186,000 more; and the Miscellaneous Civil Services were £648,000 more. On the other hand, there was a decrease of £385,000 in the Navy, and of £170,000 in the Revenue Departments. I may say that in comparing the Expenditure last year with the Estimate, it is necessary to decide what Estimates you should compare it with. There are three different periods at which the Estimates are made—the time that the Budget is brought in; the close of the Session, when the Appropriation Act is passed; and the time when the last Supplementary Estimates are brought forward at the close of the financial year. When you take into account the total Expenditure as compared with the Budget Estimate, the excess of actual Expenditure over the Estimate is £109,000. But considerable Votes were passed last Session before the Appropriation Act, and the Estimate was £241,000 more than the Expenditure turned out to be. As compared with the total appropriation of the year, the Expenditure was below those total grants to the amount of £765,479. It is always desirable to remind the Committee and the public of that, which, though frequently reminded, they always seem to forget—that there are every year considerable savings upon the Vote of Parliament under the different Heads of Expenditure. It is not, therefore, always wise to take, as some do, the Estimate of Expenditure at the time of the Budget, and then, by adding the Supplementary Votes taken in the course of a year, and deducting the Estimate of Revenue at the beginning of the year, to thus show that there must be a deficit. You must always take into account that which cannot be ascertained until the close of a year—namely, the savings of the year. So much, then, as regards the ordinary Income and the ordinary Expenditure of the past year. But in order to make the Statement complete, it is necessary that I should now mention what is the sum that has been expended out of the Vote of Credit.

The Vote of Credit, as the Committee will remember, was for £6,000,000. Of that £6,000,000, £3,500,000 has been actually expended. Some further amount has been incurred which I will mention by-and-by; but the total amount actually expended is £3,500,000. The total Expenditure, exclusive of the Vote of Credit, would have left a surplus roundly of £860,000; the Expenditure, inclusive of the Vote of Credit, leaves a deficit of £2,640,000. To meet that Expenditure, the Government have issued Exchequer Bonds, under the authority of the Act recently passed, for £2,750,000, and they have applied out of the surplus Revenue £750,000; so that the £3,500,000 which has been expended on account of the Services for which the Vote of Credit was given has been defrayed, partly by the application of £750,000 out of Revenue, and partly by the issue of Exchequer Bonds to the amount of £2,750,000. The Exchequer Bonds have been issued for one year only, so that they will fall due at the end of this financial year in the month of March; and, therefore, it will be entirely with the House to decide in what way these Bonds shall be hereafter dealt with. We thus commence the year 1878-9 with a debt of a temporary character of the amount of £2,750,000. There will be some other expenditure which will be required for the Services for which the Vote of Credit was given. The circumstances which led to our asking for the Vote of Credit at the time were circumstances of urgency, and it would have been inconvenient, for various reasons, to have taken in detail the Votes for the application of the money to the different Services for which the Vote was required; but with regard to the completion of the Services which have already been entered upon, there will be no such reason, and it will be decidedly more proper and convenient that whatever is to be provided in that way should be provided by Supplementary Estimates, which, therefore, will be presented.

I will now state the Estimates of Expenditure for the year which we are now entering upon. The charge for the permanent Debt will be the fixed one of £28,000,000; the charge for Interest on Local Loans, £425,000; the charge for the Suez Canal Annuity will be £200,000. There will be a sum of £94,000 for the interest on the Bonds for £2,750,000 which have been issued, and a sum of £1,760,000 for the other Consolidated Fund Charges. This will bring these Heads of Expenditure for the Debt and Consolidated Fund Charges to £30,479,000; the issues of last year for that class amounted to £30,054,335. It is more convenient to make these comparisons by classes, instead of by individual items, with which we can deal afterwards. The estimated Expenditure this year is:—For the Army, £15,595,800; for the Home Charges of the Forces in India, £1,080,000; and for the Navy, £11,054,000; making the total of Military and Naval Expenditure, £27,729,800, as against £27,090,757 last year. The Estimate for the Civil Services is £14,816,475, as against £13,982,553 last year; for the Customs and Inland Revenue, £2,793,068; for the Post Office, £3,313,215; for the Telegraph Service, £1,114,972; for the Packet Service, £773,245; making the total for these Services £7,994,500, against £7,775,850 last year. That makes the total Expenditure £81,019,775, or £81,020,000, against £78,903,495 last year. The Expenditure is £81,020,000, without making any provision for the redemption of the Bonds that have been issued for the Vote of Credit, or for the Supplementary Services to which I have referred.

I will proceed now to state the Estimate of the Revenue. Customs last year produced £19,969,000. I estimate that this year they will produce £19,750,000; this is making allowance, of course, for the circumstance to which I adverted last year, when a considerable sum was brought in at the close of the year unnaturally, and of course we lose that sum, which disturbs the comparison of the two years. The Excise, which produced last year £27,464,000, we take at £27,500,000—that is, the full amount it produced last year, with some allowance for increase. Stamps produced last year £10,956,000, and I take them at £10,930,000. Land Tax and House Duty produced £2,670,000, and I take them at £2,660,000. Income Tax produced £5,820,000, and I take it at £5,620,000; the reason for taking it a little lower is, that there was a late collection in the year before last, and it was a comparatively early one last year, so that a larger amount came in within the year than would have been due upon an average of years. The Post Office we take at £6,200,000; the Telegraph Service at £1,315,000; the interest on Advances for Local Works, and on Purchase Money of Suez Canal Shares, which was £949,884, I take at £1,075,000; and Miscellaneous sources at £4,000,000. The whole Revenue, which last year was £79,763,299, we estimate at £79,460,000. Therefore, I am sorry to say I have brought out an anticipated deficiency of £1,560,000, without having made any provision for the extraordinary Expenditure.

I will not detain the Committee at present by going at great length into the question of the increase of Expenditure. There is no doubt that the increases are considerable; but the

Committee must bear in mind that, to some extent, these increases are not so serious in reality as they appear to be. In some cases there is an increase on both sides of the account—as, for instance, is especially the case with the charge on Debt—where we borrow money with one hand in order to lend it with the other. Again, it must be borne in mind that some of the increases are increases in charges which have been taken upon the country by the legislation of recent years, and which are in the nature of relief to ratepayers, while involving some addition to the burdens of the taxpayers. Speaking generally, the increase of Expenditure this year upon last year is about £2,100,000; and it is made up in this way—The increase upon the charge for the Debt is about £425,000; the increase upon the Military and Naval Services is £639,000; the increase upon the Civil Expenditure is £834,000; and the increase upon the Revenue Department, £220,000. With regard to the Debt, there is one thing I may point out. The amount to be applied to the charge of the Debt is £28,000,000 every year, and that is provided on this principle—In the first place, all the charges for the interest and management of the Debt shall be defrayed and the balance shall be applied to the reduction of the Debt, and as the Debt is gradually redeemed by the application of these surpluses, of course, the charge for interest becomes less, and, all other things remaining equal, there ought to be a greater amount from year to year applied for the extinction of the Debt. It is, of course, subject to this possibility—that there may be certain increases within the class of Debt which is charged upon the £28,000,000, and any increase of that kind will diminish the portion of the £28,000,000, which will be applicable to the new Sinking Fund. It is always a matter of interest to look to the amount that is paid to the new Sinking Fund; last year it was £764,825; and in the year to come the amount so applicable will be only £684,747. The original Estimate I made was, that this year there would be applicable an amount sufficient to redeem £603,000 of Stock; instead of that we find we shall have £684,000 of cash with which to purchase Stock; that, of course, produces a larger quantity; therefore, so far as the operation of the new Sinking Fund is concerned, comparing it with the original Estimate, it is distinctly satisfactory, and has produced a greater effect than was anticipated. But when we come to inquire why there is less applicable this year than last year, we find that it arises in this way—that a larger amount has had to be borrowed in Terminable Annuities. Of course, a larger amount being borrowed in Terminable Annuities reduces the proportion of the £28,000,000 that can be applied under the new Sinking Fund. The new Annuities which have thus been created are as follows:—It has been necessary to provide, first of all, for a half-year's payment on a new Annuity to repay the £100,000 advanced for fortifications last July; and a small sum has also to be provided for a further Annuity of £35,000, which will probably be required in the coming year. I am happy to say that this balance will complete the amount of the Fortification Grant. But then there is another charge that we have taken on ourselves, and which we also have to meet by Terminable Annuities, and that is for the payment of local barracks. That is a charge which we found existing when we came into Office, and it is one for which provision has to be made. Therefore, that amount of fresh Terminable Annuities has been created. £300,000 was advanced on the 1st of March, 1878, and it is estimated that about £700,000 more will be required in the year 1878-9. Taking these two sums, which involve a charge of £100,000 between them, and adding that which is required for Fortifications and for the Annuities I have referred to, we find that £118,000 will this year be applied to Terminable Annuities more than last year; and that accounts for the diminution of the proportion of the £28,000,000 which can be applied to the new Sinking Fund. I think it is well that we should bear this in mind; because there is sometimes a disposition in some quarters to doubt the operation of the new Sinking Fund. The new Sinking Fund is itself operating perfectly, and with a greater amount of effect than we might have ventured to anticipate. The new charges which are created, and for which we are not responsible, affect the amount so applicable; but they will not disturb the amount of £28,000,000 for the public Debt.

But, passing from that—which does not really affect the finance of the year, but which is yet interesting as showing the progress of our Debt—I must call attention to a very serious increase which has arisen in the interest on money borrowed for Local Loans. Last year, for monies to be borrowed to meet the loans of local authorities, we issued £212,000, or nearly £213,000. This year we estimate these issues at probably £425,000, showing an increase of £213,000. No doubt, there will be a corresponding increase in the Estimates from the interest of the money that we lend to the various bodies which are entitled to borrow these sums. But the increase is now so rapid, and the amount of the Debt which is coming into existence for this purpose is so very considerable, that I think I ought now, before it is too late, to call the serious attention of the Committee to what is going on. The Committee will, of course, bear in mind that this question of advances to local authorities has nothing to do with the policy that we adopted two or three years ago and that we have carried on since, of placing certain charges which were formerly thrown on the rates upon the Consolidated Fund. That is quite a separate matter, and it has nothing to do with the present question. The subject of Local Loans is one which has been growing in importance for a considerable time; but it has been growing very rapidly, indeed, within the last two or three years. I need not go back to any great antiquity with respect to the Exchequer Loan Fund and so forth; but what I may almost call the origin of the present system of lending was when, some years ago, the Government of the day—I think it was the Government of Lord Palmerston—finding that a considerable pressure was put upon them to expend money in forming harbours of refuge, thought it was the wiser plan to meet the claim that was made by proposing to authorize the Public Works Loan Commissioners to lend money to harbour authorities for the purpose of improving their own harbours, and to lend it at a very low rate of interest. I think 3¼ per cent was stated to be the rate of interest at which these loans should be made. That policy was adopted, and it has led, I think, to an advance of something like £900,000 to local authorities for harbours. That is a small matter in itself; but the precedent which was then set has been followed in other cases. It was followed in the case of the Education Act of 1870. At that time, in order to facilitate the introduction of the new and very costly system of education which was to be established under that Act, power was given to school boards to borrow at a comparatively low rate of interest—3½ per cent—from the Public Works Loan Commissioners; and at that time an estimate was formed of the amount which would probably be required. It was, of course, difficult for the Education Department of that day to make any correct estimate of what the total amount might be; but I believe that the sum which the Education Department spoke of, and which the Treasury conceived to be the probable sum, was something like £4,000,000 for England, and another £1,000,000 for Scotland. Well, at the present moment the sum which has been spent by the Education Department amounts, on the whole, to no less than £9,348,000 for England, and £2,221,000 for Scotland, and we are far yet from having an assurance that we have arrived at the end of it. Well, the same principle was carried into effect in the case of the new sanitary legislation. There was a very natural and very proper desire that the sanitary arrangements of the country should be improved, and that costly works should be undertaken for that purpose. But how was the money to be provided? The suggestion was made—and it was embodied in an Act of Parliament—that there, too, the Public Works Loan Commissioners should be called upon to advance money at a moderate rate of interest for the execution of works which had to be undertaken. In that case I think a saving clause was inserted in the Act, and although 3½ per cent was named as the rate of interest, yet words were introduced at the suggestion of the Treasury—who were now beginning to get a little uneasy—to the effect that 3½ per cent interest should be charged, or such other rate as would secure the Treasury from the risk of loss. But in that case, also, there has been a very spirited advance on the part of the local authorities in making demands for sanitary loans. And, again, my right hon. Friend the Secretary of State for the Home Department, when he introduced his Artizans

Dwellings Act, followed suit. The Treasury became more and more paralyzed in this matter, was unable to resist the precedents which had been set, and here, again, we have a large door open for these borrowing powers. To give one instance of the great demands which are made under these Acts, I may observe that last year one town alone—namely, Birmingham, one of whose Members I see opposite, and who, I hope, enforces the necessary economy on his fellow-townsmen—Birmingham, I say, borrowed the best part of £1,000,000 in 1877, and it is asking for something like another £1,000,000 in 1878. I do not for a moment blame Birmingham. I have no doubt that an excellent use will be made of these monies. I have no doubt whatever that the security which is offered is a good security; and I have no doubt that it will be very much for the advantage of Birmingham that that expenditure should be incurred. But, of course, such examples are catching, and we shall very soon find that these demands will go on increasing and increasing with fresh rapidity. And several curious effects will be produced by this. In the first place, the facility of borrowing at so moderate a rate of interest has naturally a tendency to render municipalities more free to borrow and increase their indebtedness. But what is more to be remarked is this—that by encouraging them thus to borrow from the State we are substituting the State as the creditor in the place of the private creditor. Now, of course, there can be no question that these loans are contracted with the most thorough *bona fides*, and there is no doubt whatever that the State, in advancing them, has a very good security. But if these advances are made for 30, 40, and 50 years, and if they are made—as, possibly, they may be made in some cases—for purposes which should prove to be unremunerative, and should entail a heavy burden on the localities for which the loans are contracted, it is quite conceivable that a time of difficulty may arise, and that pressure may be put on the Imperial Exchequer to consider the position of some of these debts. It will, of course, be understood that I am not for a moment suggesting that anything of that sort is now even dreamt of. I am only looking forward to a danger that may possibly arise.

The Chancellor of the Exchequer

But then I may be told that, after all, this business on which the Treasury has entered is a very fair and remunerative one; for although they are bound to lend at 3½ per cent, yet the credit of the country is so good that we are able to borrow at a somewhat lower rate, and we can put the difference into our own pockets; and I think sometimes those who come to us for loans suppose not only that they are borrowing at a low rate of interest, but that they are helping the Chancellor of the Exchequer to a handsome profit over and above; but I am afraid that will not stand the test of experience. There are some remarks which I may venture to quote to the Committee from a paper that has been drawn up on the subject. It answers the suggestion that the interest paid on loans would be covered by the interest received.

> "The Public Works Loan Commissioners only charge interest yearly. They therefore receive no interest within the financial year on the advances they make after the 1st April. But the State has to pay interest half-yearly or quarterly, and in the case of Treasury Bills the interest is paid in advance. Thus the charge on the State has a tendency to increase faster than the interest it actually receives. In 1876-7 the Public Works Loan Commissioners earned by way of interest £542,000, and in 1877-8 £612,000, being an increase of £70,000. The interest paid by the State increased by about the same amount. In 1878-9 the Public Works Loans Commissioners estimate that they will receive £725,000 to £730,000, an increase of about £118,000."

I have shown that our Estimate on this point is for a possible increase of as much as £200,000, certainly not much less than £150,000. That is an illustration of the difficulties which may stand in our way with regard to these loans for local purposes. Of course, in regard to the interest standing over for a whole year, we propose to get rid of that; but that is only one of those points which will require attention. I wish to point out to the Committee that although our present system is all very well when the rate of money is low, it would not be equally so when the rate of money is high. I have found it desirable to raise a good deal by short loans or Exchequer Bills and Treasury Bills for short periods. But then these loans are made for long periods—40 or 50 years—and, although they may be profitable at first, when the rate of money is low, they may be very much the reverse if we have to renew our short bills when money is at a higher rate. There is one remedy—to borrow not by the issue of Treasury Bills, but on Consols at 3 per cent. That is a step to which I see some objection, and I should be sorry to be obliged to take it. I mention these things to the Committee, not because I have any proposal to make at the present moment, but because I wish to draw attention to the subject as one which forces itself seriously on our attention, and from which, if we do not make some provision to secure the public, serious mischief may arise. I should be most unwilling to charge a higher rate than could be avoided for loans to make sanitary improvements, loans connected with education, improved labourers' dwellings, the creation of harbours, and other purposes of that kind; but a hard-hearted Chancellor of the Exchequer may find it his duty to take steps to secure that the Exchequer, at all events, shall not suffer. Though I have thus made a little digression on this subject, I do not think the time has been altogether thrown away.

I will not now go at any great length into the various increases that have taken place in the other Heads of Expenditure. The Military and Naval increases have been explained and voted by the House when the Army and Navy Estimates were before them. With regard to the Civil Expenditure, the increase amounts to £834,000. That increase is due to two causes. It is accounted for partly by the transfer of prisons, and partly by the growth of grants for Public Education. The addition for prisons comes to nearly £600,000. The grants for Public Education are £250,000 more than last year. These are the two great increases. I am not going to discuss their propriety. I have only to tender my account and to meet the charges on me as well as I can. I believe the policy adopted in taking these charges on the State is a sound and correct policy. If they entail an additional burden on the taxpayer, they, on the other hand, contain a relief to the ratepayer of charges which ought not to fall exclusively on him. And it must be borne in mind that, coincidently with relief given to the ratepayers, we are laying new and heavy burdens by legislation upon the taxpayers in respect of sanitary and other matters.

Now, I go back to what I had almost forgotten for the moment, but which must be my leading feature to-night—I go back to the expenditure of the Vote of Credit. What has actually been spent is £3,500,000, and it has been spent in this way—The Army has spent £1,543,000. Out of that about £240,000 has been spent on horses; £1,100,000 on various stores, mining, laboratory, clothing, &c.; £76,000 on guns; £48,000 on ammunition; £38,000 on iron shields, &c. The Navy Service has actually spent £1,916,000. Of that, by much the largest part—£1,445,000—has been spent in purchasing ships of war, sometimes with the armament and stores; £144,000 upon means of transport, and £249,000 upon provisions, leaving £40,000 for torpedoes. £38,000 has also been expended in laying down special telegraph cables to keep up our communication with the Fleet. No doubt, hon. Gentlemen will remember that at the time the Vote of Credit was taken considerable uneasiness was felt owing to the interruption of telegraphic communication; and therefore we thought it desirable that steps should be taken to improve and make independent the telegraphic communication between this country and the East, utilizing for this purpose the lines of the Eastern Telegraph Company. Besides these sums the Army has, I understand, committed itself to a further expenditure of something like £500,000, and the Navy to a further expenditure of £200,000. These sums are for services analogous to those which would have been defrayed out of the Vote of Credit if they could have been completed and paid for during the year. They will be made the subject of Supplementary Estimates, and be laid before the Committee.

Then we have a further question, which is one of greater uncertainty, and that is as to what the expense may be of the step which has just been taken of calling out the Reserves. It is very difficult for me to form any real estimate on this matter at the present moment; because everything depends on the number of the men that may come up, and the length of time they may be kept under arms. But supposing they are kept under arms for three months, I take the expense at the approximate sum of £400,000. I also take the extra labour required in the Dockyards during the first part of the year at the sum of £400,000. I have put these sums down rather in order to make a round balance than to give any very correct information. In the present state of affairs, it is impossible to get accurate information. Of this amount £3,500,000 has been already paid, leaving certainly £700,000, and, it may be, some further sum which may, perhaps, bring the total to £1,500,000, to be paid. But of the amount paid £2,750,000 has been borrowed, and must be taken into account in the coming year.

Well, then, these are the figures which I stand face to face with. There is an estimated deficiency of Revenue to meet the ordinary Expenditure of the year of £1,560,000. There are the Exchequer Bonds which are outstanding, and which amount to £2,750,000, and the Supplementary Estimates, which may be £1,000,000 or £1,500,000. That leaves me to meet a sum of £5,300,000, or of £5,800,000; and now we are to consider how we are to meet it. It was quite understood when the Vote of Credit was proposed and Exchequer Bonds issued for the purpose of the Vote that they should not be raised by one loan. At the same time, we have done all that we could to pay out of the surplus of last year a not inconsiderable portion of what has been spent, and I think we ought to make an effort to cancel that debt, not in the present year, but in the year after—that is, in 1879-80. I think we ought this year to meet the regular deficiency of £1,560,000; we ought, also, to meet the Supplementary Estimate of £1,000,000 or £1,500,000 ; and we ought, also, to meet some portion of the outstanding debt. I am uncertain what the Supplementary Estimates may be ; but I hope, if the Committee will give me the Ways and Means I am about to ask for, I shall be able to extinguish the regular deficit, and to pay whatever the Supplementary Estimates may amount to, leaving a reasonable portion over to be applied towards the reduction of the £2,750,000.

With regard to the Ways and Means, I will not keep the Committee long in suspense. But there are one or two minor matters which I must first mention. One of them relates to the mode of dealing with the House Tax. The question as to the mode in which professional offices are charged to the House Tax is one which my right hon. Friend the Member for the City of London (Mr. Hubbard), my hon. Friend the Member for Peterborough (Mr. Hankey), and others are well acquainted with. In certain cases persons who are using their houses for the purpose of carrying on a trade and not as dwelling-houses are allowed to leave caretakers in them without bringing them within the higher rate of inhabited house duty, 9*d.* That indulgence is not extended to professional offices, and therefore very curious discussions are sometimes raised as to those who may be entitled to caretakers and those who may not, and the difficulty is increased by the circumstance that a house is treated as a whole. Supposing that a house is divided into chambers in which 20 persons may live, it may happen that 19 of those persons are carrying on trades, while one may be a professional person; but the professional person vitiates the whole house, and it has all to be subjected to the higher rate. I hope to be able to meet these two serious inconveniences. I hope I shall be able to introduce into the Bill which is to give effect to the Budget provisions for the purpose of placing professional offices on the same footing with regard to caretakers as trade offices, and thereby to relieve the hon. Member for Peterborough of a difficulty which he feels and passes on to me—namely, to know what is a trader and what a professional person, and also provisions by which separate tenements will be charged as separate houses. With regard to the Income Tax, my hon. Friend the Member for Oldham (Mr. Hibbert) and others have pressed on me to make allowance for the wear-and-tear of machinery. That is a very difficult question, and I will not now enter into it; but it is one which will have to be considered when we have the Bill before us. Considering the way in which ships and railways are treated, and the various matters which are more or less distinctly recognized as subject to depreciation, I think it is fairer and better, and will be more satisfactory, that proper provision should be made for recognizing depreciation in the case of machinery. These two changes will, of course, to some extent, though not to a very large extent, affect the proceeds of the House Tax and the Income Tax; but, on the other hand, I have a small addition to propose to another tax, which I think will about balance the remissions on those two taxes—I allude to the tax upon dogs. I will not attempt to go into this very interesting subject; certainly I will not weary the Committee with any great number of the letters I have received on the matter. One writer suggests that a special tax should be laid upon pugs because they are ugly. I beg to say that I do not share that opinion. But what I propose to do is this—in the first place, with regard to the duty, I think it may be fairly raised from 5*s*. to 7*s*. 6*d*. Then there are some other changes which might be made. It has been impressed upon me that the exemption of dogs under six months leads to a great deal of evasion. I am told of persons who keep dogs, and when someone says to them—"That is the same dog I have seen last year," the answer is—"Oh no, my dogs are never more than six months old." I propose, therefore, that the limit of exemption should be reduced from six months to two months. [*Laughter.*] Hon. Gentlemen may laugh; but it is much easier to know a puppy under two months than under six. It is also proposed to introduce the principle that, in the event of any doubt arising, the burden of proof will lie upon the owner of the dog. I have been in communication with my right hon. Friend the Secretary of State for the Home Department and the Commissioners of Inland Revenue as to the mode in which the tax is to be levied, and I hope that we may be able to make some further use of the police, and also to take precautions which the Inland Revenue thinks ought to be taken to bring a larger number of dogs under the tax. I have not the slightest doubt that the step I am taking would meet with a great deal of remonstrance from the people of Scotland, if I were not able to add that I propose to take the opportunity of dealing with the case of the shepherds' dogs. No doubt there are certain cases in which shepherds' dogs ought not to be taxed. The way in which I propose to deal with shepherds' dogs is that there shall be a certain form of declaration provided upon making which a shepherd or the owner of sheep shall have the right to a licence for one dog, and in some cases for two dogs, free of charge. I think the increase of Revenue from the Dog Tax will rather more than compensate for the loss I shall have sustained from the remissions in the case of the House Tax and Income Tax which I have mentioned. The one I put down at £100,000, the other at £80,000.

And now I must call the attention of the Committee to the position in which we stand, and to the provision which we are to make for the large deficit which I have brought under its notice. I put aside at once—and I think the Committee will agree with me in putting aside—all idea of meeting that charge in any other way than by fair taxation. It would be quite out of the question to attempt to tamper with the arrangement for the reduction of the National Debt. Then, if we are to meet it by taxation, by what kinds? Everyone, I am sure, will naturally think of the Income Tax; and, at the same time, there will be, I believe, a general agreement that we ought not to throw ourselves upon the Income Tax alone. In any circumstances, I think that would be so. But, certainly, the changes we have made within the last year or two in the incidence of the Income Tax with a view to giving relief to a considerable number of persons in the case of that burden must render it more and more objectionable to rely upon the Income Tax as our sole resource. It is, however, one of such immense value that we cannot help taking it into our consideration, and making what I am afraid will be regarded as a very important addition to it. The Income Tax is now estimated to produce for each penny the sum of about £1,800,000, of which about £1,500,000 would come into the year in which it was imposed. Therefore, if we raise the Income Tax by 2*d*., we shall get from that source an addition of £3,000,000 in the present year; and to this we propose to add an additional duty of 4*d*. per lb. on tobacco. I am afraid that it is impossible to select any taxes that shall be altogether unexceptionable; but I think it is better that we should endeavour to meet such a call as is now made upon us by broad and simple proposals which will be efficacious for that purpose, and which, I hope, will not involve any lengthened strain upon the country. At all events, that is the proposal of Her

Majesty's Government, and they have selected the article of tobacco for the subject of additional taxation; because it is one the produce of which has been steadily rising year by year, and which, in the present year, has produced a very considerable amount more than was anticipated. The present duty on the great bulk of tobacco, unmanufactured and containing 10 per cent of moisture, is as nearly as possible 3*s.* 2*d.* per lb.—3*s.* 1¾*d.* I think. It is estimated that the duty on tobacco, raised to the extent I propose, will produce £8,723,000. The gross Revenue from this source in 1876-7 was £7,864,000, and probably the gross increase will be £859,000; but after deducting an estimated drawback, it will be brought down to £759,000. There are various rates, which were settled with considerable care in order to make a just proportion between manufactured and unmanufactured tobacco. We get rid of the fraction. [Mr. GLADSTONE: So that the increase is more than 4*d.*] It is 4*d.* and a trifle. That will give £750,000, and in that way we propose to increase the Ways and Means of the year to £3,750,000. I had estimated—and I think probably it was as safe an estimate as I could make—the sum we had to meet at £5,300,000. It might be £5,800,000; but I will take it at the lower sum. Taking £3,750,000 from the sum of £5,300,000, it leaves a remanet of £1,550,000 to be met next year. It may be more. If the expenditure on the Supplementary Estimates should be £500,000 more, it will be £2,000,000 next year, but then we shall have next year a remanet on the additional Income Tax of £600,000; and I think we shall find ourselves in a position which will enable us with very great ease either to meet any debt which might be incurred or to meet any call which might possibly be made upon the Exchequer. I venture to hope that no such call will be necessary. I venture to hope that the country has been wise in time; and that, although the Budget which I have now had the honour to submit to the Committee has been by no means a pleasant one either to frame or to expound, yet it will be received by this House and by the country in the same spirit of patriotism in which they have already voted Supplies, and in which we have endeavoured to make our financial proposals.

I will now state over again, as is usually done, the balance-sheet of the year—

ESTIMATED EXPENDITURE, 1878-9.

Permanent Charge of Debt ..	£28,000,000
Interest on Local Loans ..	425,000
Interest on Supply Exchequer Bonds	94,000
Charge of Suez Loan	200,000
Other Consolidated Fund Charges	1,760,000
	£30,479,000
Army	£15,595,800
Home Charges of Forces in India	1,080,000
Navy	11,053,901
Civil Services	14,816,475
Customs and Inland Revenue ..	2,793,068
Post Office	3,313,215
Telegraph Service	1,114,972
Packet Service	773,245
	£81,019,676

ESTIMATED REVENUE, 1878-9.

Customs	£20,500,000
Excise	27,600,000
Stamps	10,930,000
Land Tax and House Duty ..	2,630,000
Property and Income Tax ..	8,570,000
Post Office	6,200,000
Telegraph Service	1,315,000
Crown Lands	410,000
Interest on Advances for Local Works, and on Purchase Money of Suez Canal Shares ..	1,075,000
Miscellaneous	4,000,000
TOTAL REVENUE ..	£83,230,000

—leaving a surplus available for meeting deficiency caused by Vote of Credit and Supplementary Expenditure, £2,210,324. The first Resolution which I shall submit to the Committee will be the usual formal Resolution for renewing the tea duty, and then I propose to submit the Resolution for the addition to the tobacco duty. I hope the Committee will be willing to pass the latter Resolution to-night; because if the announcement of that addition were made to the country without steps being taken which will enable the officers of the Customs to charge the increased duty, great loss to the Revenue would ensue.

(1.) Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, the Duties of Customs now charged on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and seventy-eight, until the first day of August, one thousand eight hundred and seventy-nine, on importation into Great Britain or Ireland (that is to say): on

		s.	d.
Tea	the lb.	0	6."

Mr. GLADSTONE: Of course, I do not rise to make any remarks upon the more substantial and essential parts of the painful Budget which it has been the duty of the Chancellor of the Exchequer to bring before us, and I am extremely sorry he has been obliged to make his very clear statement under circumstances of great inconvenience, I am afraid, to himself. My right hon. Friend did not mention to us the day upon which he proposes to take the substantial discussion on his plan, but that omission, I have no doubt, he will take care to supply before the House breaks up; and, in the meantime, nothing can be more proper than his demand that we should pass the Resolution to-night about the tobacco duty. There are many Members of this House, who are less accustomed to these matters than myself, who may not be aware that they are not understood to commit themselves upon the merits of the plan by assenting to the Resolution. It is purely a fiscal necessity to prevent loss to the Revenue without any corresponding gain. I rise for the purpose only of making one or two incidental remarks, and some remarks having special reference to that important part of his speech which related to the matter of local loans. But, first, there have been two deviations in the speech from the usual practice which, though they are not of very great importance, I wish to notice. The right hon. Gentleman set out by drawing distinctions in presenting the public account between the ordinary and the extraordinary Expenditure; and from that measure he derives the momentary convenience of being able to speak to us in language always agreeable to hear in this House, that he had a surplus of £600,000 or £700,000. But, immediately afterwards, he was obliged to show us the real state of the accounts for the year, where there is a deficiency, in round numbers, of £2,500,000. I never knew that distinction of ordinary and extraordinary Expenditure introduced before in a statement of public account in reference to charges which are charges of the year; and I doubt very much whether it is altogether convenient. There may be cases in which Expenditure is extraordinary; but I do not think that ought to be allowed to come into a statement of public accounts when what is most desirable is to impress upon the minds of the House a leading fact, and that leading fact is that we have a deficiency, in round numbers, of £2,500,000. It is perfectly fair, in comparing Expenditure, that his own expenditure should be carefully separated from the original Estimate; and my objection applies to the introduction of this distinction in the original statement. In speaking of the comparative Expenditure with Estimate, this is a point which I always laid stress upon—the Chancellor of the Exchequer said that the Expenditure had fallen within the Estimate of account, or gone beyond it, according to the Estimate with which you compare it. I lay great stress on this—that we can only make a comparison with the original Estimate presented, and it is utterly idle for a Finance Minister to tell the House of Commons—"I presented to you certain Estimates in April; but these Estimates were increased in May, June, or July, and it all depends upon which of these standards you take to determine the manner in which the matter should be estimated." Now, the House of Commons, considered as the stewards of the public purse, must reckon with the Finance Minister once a year; and it is totally impossible for this House to exercise any effective control upon any other basis or principle whatever. It is for the Chancellor of the Exchequer to explain all details he thinks fit; but if Finance Ministers are not to compare their Expenditure with the original Estimate, you lose every check over the formation of that original Estimate. He must make the original Estimate, which is to cover every probable expense, the security the House has for making it on a sound and large principle, and that the basis shall be sufficiently broad that he shall present it once, and that one Estimate shall be the standard by which shall be ultimately tried the relation between Estimate and Expenditure. I will now pass from these merely critical remarks to a question which was dealt with in some detail by my right hon. Friend the Chancellor of the Exchequer—I allude to the question of local loans. I was very glad, indeed, to hear what was said by him upon this subject; but I am bound to express my hope that in order that we may gain some proof of that portion of his speech, some measure will be introduced by the Government to meet this growing danger. It is, of course, a great benefit to have our attention drawn to a question of this kind at any time; but we can only hope to secure benefit from having our attention so called by my right hon. Friend making some proposal on the subject, based on the responsibility of the Government, and intended as a safeguard against the danger which the Chancellor of the Exchequer has pointed out. I can say for myself—and if I know anything of the financial mind of those who sit on this side of the House, I would almost venture to say for them—that any precautionary measures which the Chancellor of the Exchequer may submit in the way of some augmentation of the rate of interest on prospective loans, or in whatever way he may deem it best to deal with the question, will meet with a fair and favourable consideration on this side of the House. The Chancellor of the Exchequer gave an account, however, of the way in which this danger, first of all, crept in, and it is to that account I wish to address myself. He says it was under the Government of Lord Palmerston that this practice was commenced. That I admit—as I am bound to do—was the first example of a practice which has since become dangerous, and the introducer of such a practice is naturally held responsible for it. I was Chancellor of the Exchequer when the Harbours Act was passed, and when, as the Chancellor of the Exchequer has said, it was permitted to local bodies to make applications for loans of public money at the extremely low rate of interest of £3 5*s.* per cent. I am fully responsible for that Act, and never was I concerned in an Act of Parliament by which was effected so great a public economy. Now, I will show the difference which has come into play. We have learned in these later years to use this business of local loans as a mode of gratifying local communities, of oiling the wheels of the State, and facilitating the passing of measures through Parliament by making further additions to the boons which, at the expense of the taxes, are given to the ratepayers. But that was not the view with which this step was first taken. What were the circumstances? A movement was got up chiefly in the Eastern, but also in other, parts of an extremely popular character for laying out very large sums of money in what were called Harbours of Refuge. I do not hesitate to say that if that plan had been carried into effect it would have cost the Exchequer not less than £12,000,000, and more probably, £20,000,000. Lord Palmerston's Government set themselves against the adoption of that plan. It was suggested by the bulk of the Conservative Opposition, and, I must honestly confess, by a fraction of the Liberal Party, which converted that Conservative Opposition into a majority. An Address to the Crown was moved, which, if it had been acted upon, would—as I am firmly of opinion—have involved an expenditure to the amount I have mentioned. The Government of Lord Palmerston resisted that Address. We were beaten on a division, and I rather think by a somewhat considerable, at any rate not by a very small, majority. We refused to act on the Address of the House of Commons, and I think we were perfectly right in so doing; because, in my opinion, the House of Commons was going beyond, and, in point of fact, abusing, its powers in endeavouring to compel the Government to make that expenditure of money. Since then we have had attempts to revive that plan when Liberal Governments were in power—of course, when Conservative Governments are in power there can be no need for Harbours of Refuge. [*Murmurs.*] Well, at any rate, let me say that for four years a Conservative Government has seen no such necessity; and in referring to the matter I shall proceed upon the principle on which we acted in the Government of Lord Palmerston. My right hon. Friend will see that by resisting the voice of a considerable majority in the House of Commons who supported a proposal which, undoubtedly, had many plausible arguments to recommend it, we placed ourselves in a very peculiar position. We were compelled, in the stead of an enormous expenditure—and which, in fact, it would have been very difficult to place any limit at all—to propose a very moderate expenditure, and on terms which, I admit, were better than would have been justified on any ordinary principles. Those, then, were the circumstances under which this plan of borrowing was introduced under the

Government of Lord Palmerston; and I wish to observe that I do not recollect that my right hon. Friend, when on former occasions he has introduced this plan of lending money to local bodies as a matter of great convenience and advantage to those bodies, was at all careful to father the device upon the Government of Lord Palmerston. But now he points out his danger.

The CHANCELLOR of the EXCHEQUER: I had no intention to throw any blame whatever upon the Government of Lord Palmerston.

Mr. GLADSTONE: I did not think my right hon. Friend had any such intention, nor have I any intention to cast any blame on him; but what has been done is this—the Government of Lord Palmerston have been set up as the authors of a practice which has become dangerous, and my object is not merely to make a polemical reply to my right hon. Friend, but to point out the principle upon which it was then done, not as a financial measure, good in itself, but taking its terms and conditions into view, as a means of avoiding an infinitely greater evil which it was necessary to avoid. Therefore, the moral of my remarks is that this is the proper basis for a system of local loans which ought not to be made upon light or secondary considerations of policy, but only for great objects and purposes which cannot otherwise be attained. I do not want to dwell further upon the critical part of what I have said; but I am glad the question has been raised, because it has given me the opportunity to point out the principle of action on which we went. I think that principle was sound, and I wish we could bring back the system as nearly as may be to that principle. My right hon. Friend has pointed out that it is said by some people that they confer a sort of favour on the public by taking these loans, because the public nominally receives a higher rate of interest than it pays for the money that it borrows. If it were so, it is not the business of the public to become—unless it happens accidentally in a particular case—a trader in money, or to enter into jobbing transactions of that kind. The Government ought to charge a rate of interest on these loans which not only has reference to the actual state of the money market, but which, viewing the rate at which the public can borrow over a long series of years, affords a sufficient margin to cover all danger. I hope this important question may be submitted to us in a practical form; and I would again remind my right hon. Friend of the question I put to him as to the day on which the matter will be brought before the House.

Mr. PEASE said, he wished to thank the Chancellor of the Exchequer for having at length yielded to the strong representations that had been made to him from year to year on the subject of remitting the tax on shepherds' dogs. With regard to the tax on dogs generally, he should not have objected to the tax being raised to 10*s.* per dog. He could not agree with the proposal as to the age at which dogs should be liable to taxation. Two months was, he thought, too young an age at which to charge the impost, for it happened, as a rule, that it was not until dogs were over that age that their owner could tell which to keep of a litter of puppies and which to destroy. With regard to the harbour loans, he thought some alteration was necessary. Many of the harbours, which had become national rather than local institutions, had their debt divided under two heads—one comprising the money borrowed before the passing of the Act, which enabled them to borrow from the Public Works Loan Commissioners, and the other the money so borrowed. He saw no reason why the debts of harbours, which had become national harbours and were, in every sense of the word, harbours of refuge, should be so divided; and if the Chancellor of the Exchequer could devise a means of altering the present state of things, he would give great satisfaction to the persons interested in harbours—particularly those on the North and North-East coast. There were, he thought, ways in which, in view of the fluctuating value of property on which public money was lent, the present modes of granting loans could be made more secure for the Government and more satisfactory, on the whole, to everyone concerned.

Mr. WHITWELL expressed his thanks to the Chancellor of the Exchequer for having conferred a great boon upon the shepherds by removing the tax upon their dogs. If dogs generally had a 10*s.* tax imposed upon them, he hoped there would be no limitation of any kind with regard to shepherds' dogs. With regard to local loans, the Chancellor of the Exchequer might remember that on one occasion a loan was granted to the local government of Ceylon; but the granting of the loan was made contingent upon the local authorities making a proportionate advance. He thought this principle might with advantage be applied to all loans of the kind; and as the Exchequer made these advances at a low rate, the Government ought to have priority of repayment over other creditors.

Mr. MUNDELLA congratulated the Chancellor of the Exchequer on the way in which his Estimates for the last year had come out. With regard to the Income Tax, the figures could not fail to be satisfactory, in that they showed a great advance in the wealth of the country, notwithstanding the fact that the receipts from earnings in trade had not been above the average. Indeed, it was to be feared that there would be some diminution in this respect. With regard to the inhabited house duty, he was much pleased by the course that had been taken by the Chancellor of the Exchequer, because it would remove a real grievance, which was now felt by professional men and traders, many of whom had to pay a whole year's duty, though their inhabitation might not be worth more than £5 or £6. He should have been better pleased if, in making provision for next year, the Chancellor of the Exchequer had, instead of laying a great additional weight upon the payers of Income Tax, put an additional 1*s.* per gallon on spirits, which had not, up to the present time, borne a fair share of the taxation of the country. He did not mean to say that he should have opposed any addition to the Income Tax; but he certainly thought that tax was called upon to bear an unfair share of the burden. Further, he thought that an increase in the spirit duty would, while increasing the Revenue, have proved serviceable to public morality. He felt sure that if hon. Members turned to the pages of *Hansard*, they would find an abundant armoury of arguments against increasing the Income Tax in the speeches of the right hon. Gentleman the present First Lord of the Admiralty.

Sir JOHN LUBBOCK wished to know whether, under the heading of dog tax, the Chancellor of the Exchequer intended to make any allowance in the case of packs of hounds which were kept for the purpose of affording healthy exercise and amusement for the people, and were therefore, in his view, entitled to some consideration? The tax upon Marine Insurance, too, was one which ought to be considered, because, by the inequality of its incidence, it was an impost which caused considerable inconvenience, and was calculated to drive trade from this country. The amount was not large, but it was charged in the same ratio upon large and small insurances—a policy involving a premium of £5,000 had to pay no more than an insurance upon a small coasting trader. It was with satisfaction that he had heard the Chancellor of the Exchequer announce his intention to keep the account of interest paid upon Exchequer Bonds and the floating debt generally separate from that of the funded debt. He hoped the Chancellor of the Exchequer would speedily put before the House in a practical form his proposals in regard to local loans. The great cities of the country could borrow money from other sources for the making of public works at an interest of a trifle over 4 per cent; and he therefore agreed with his right hon. Friend the Member for Greenwich (Mr. Gladstone) as to the undesirability of a Government becoming a dealer in money. There were some localities which could not give so good a security as was possible in the case of great cities and the large towns; and it was surely not unreasonable that they should pay interest at the rate of something more than 3½ per cent. On the whole, however, the Department had been very well managed, although, mainly on public and national considerations, which could not well be resisted, loans had occasionally been granted which had resulted in the loss not only of the principal, but of the interest. As much of the money borrowed had been spent on purposes connected with education, he did not think anybody would grudge the small amount added to the national expenditure. In making up the deficiency for the year, the Chancellor of the Exchequer had, in his opinion, added too much to the direct taxation of the country, and would have acted wisely if, instead of doing that, he had placed an additional sum upon the spirit duties. Notwithstanding the additions that had been made, the Chancellor of the Exchequer would still have to face the year with a deficiency of about £2,000,000, and, considering the existing state of affairs, he did not think that a wise course to take. They knew that Her Majesty's Government, when they came down and asked that House to vote £6,000,000 the other day, said that they did so in order that they might assume a bold front and show very considerable strength. If they had come that day and proposed that the whole of that amount should be included in this year, they would have taken a wise and prudent course. The right hon. Gentleman told them it was desirable that the Sinking Fund should be kept up, and that no inroad should be made on the £28,000,000 which, by the National Debt Bill, he set aside for the service of the year. The cheers with which that was received showed that the House sympathized with his opinion. Were they really carrying out that policy? It seemed to him that by this proposal, while, on the one hand, they would be paying off £3,000,000 or £4,000,000 of debt by Terminable Annuities, on the other hand they would be adding another £1,000,000 to the National Debt. Therefore, the Chancellor of the Exchequer could hardly take credit to himself for carrying out his own policy; for while he was borrowing money with one hand, he was paying it away with the other. He thought, therefore, the right hon. Gentleman would have acted wisely if he had put a duty on spirits, or in some other way had tried to raise the whole £5,500,000.

General Sir GEORGE BALFOUR said, there was one point to which he trusted the Government would give attention, and that was the question of how to construct harbours. The late Government proposed to lay out a large sum on Dover on the plea that it was one of the military or refuge harbours which the country required. The Conservative Government had the good sense to submit the project to an examination by a Select Committee. On their Report, which practically condemned the plans proposed, the present Government abandoned the defective project; and for this, it seemed to him, the Conservative Government was entitled to credit. But the rejection of a defective project was no sufficient reason for abstaining altogether from trying to provide harbours so much needed for our trade and fisheries. At the same time, he thought that great caution was needed in investing money in further attempts to provide harbours which proved failures. He agreed with the right hon. Member for Greenwich (Mr. Gladstone), that in 1861 there was a proposal to spend £12,000,000 on harbours of refuge, and that it was wise, on the part of the Government, to avoid all that expenditure until such time as the Government knew how to invest money with far better chances of success than hitherto. Since that time, millions had been laid out on harbours, some of which had been entire failures. A Return which he had obtained showed that since the beginning of this century, nearly £10,000,000 had been spent on harbours, nearly the whole of which had proved worthless. These £10,000,000 were taken from the Exchequer. It was a knowledge of these remarkable failures which led to the Government of Lord Palmerston passing the Act known as the Passing Tolls Act, to which the right hon. Gentleman the Member for Greenwich referred. No doubt, this Harbour Act of 1861 did substitute for Government money the payment by localities, conditional, however, on loans being made in aid of local funds for the construction of these harbours. These loans were to be made by the Public Works Loan Commissioners out of funds provided by Parliament, and at low rates of interest; but he submitted that the Chancellor of the Exchequer was perfectly well aware that these advances had not been made with judgment, and that from a number of these harbours not one penny of the money advanced by the Public Works Loan Commissioners could possibly be recovered. This was entirely traceable to the defect in the plans, and to other avoidable blunders. That was no reason why money should not be advanced on account of harbours; but it was a reason why the Government should see that the transactions were done in a proper manner, and that competent engineers should plan the works. Local authorities should not be allowed to borrow money to spend in any manner a local engineer might advise; and, in permitting that, he must say the several Governments in power since the Act was passed in 1861 had not acted with caution. Therefore, before they granted any more money, they should see that it would be expended in a proper manner. But here, again, there was a defective exercise of judgment on the part of the Loan Commissioners in not aiding those projects which proved a success. In the Tyne, where nearly £3,000,000 had been spent, additional expenditure was required to complete the work there, and they had found great difficulty in getting the money. This was a work of great national importance. It had already provided a refuge for vessels of the largest size; it had greatly extended the trade and benefited the people. In spite of all these results, the work was not aided as it deserved. One of the greatest safeguards against the improper expenditure of money was publicity. Encouragement ought to be given, in every way, to the proper publication of loans by the Public Works Loan Commissioners, and for what purposes the money so lent had been applied, and with what result. He had been told that that would involve expense; but it seemed to him that very little money would be required to show what loans were made and what interest was paid, and for what purposes expended. In that way, thousands and thousands of pounds might be saved — because, with the natural habit of our people, the defects and shortcomings in respect to the employment of the funds, would inevitably be exposed by the many public-spirited people who are, happily, to be found in all parts of the Kingdom. He was persuaded that if this information were given, and people of different localities could see what loans were advanced for different purposes, simply at a cost of £200 or £300, much waste would be prevented. Would the Wigan church rate case, have taken place if proper publication had been given to the loan? That loss alone would pay for 30 or 40 years for the whole of the publication of accounts.

Mr. BOORD agreed with the hon. Members for Maidstone (Sir John Lubbock) and Sheffield (Mr. Mundella) that intoxicating liquors were a fit subject for taxation, and that it might be desirable on occasion to increase the duties on them, but not in the manner that had been recommended. He observed, from a Return recently laid on the Table, that duty to the amount of £7,939,099 had been paid on 58,543,252 bushels of malt during the year 1877. Now, assuming that the whole of that quantity had been converted into beer, and that it yielded in that form at least one and a-half proof gallons of proof spirit per bushel—a very moderate calculation—it followed that 87,814,878 gallons of spirit had paid duty at the rate of little more than 1*s.* 9½*d.* per gallon, whilst other spirit paid more than five times as much—British spirit being charged at 10*s.*, foreign at 10*s.* 5*d.*, and that from British Colonies at 10*s.* 2*d.* If, therefore, the spirit duties were equalized, by raising the amount charged on that contained in beer, there would be a gain to the Revenue amounting to more than £36,000,000 per annum. He was aware the Government might say that if they interfered with the poor man's beer they would never hear the last of it; but the same argument applied, certainly in a less degree, to the rich man's wine. Wine paying the 1*s.* duty contained, on an average, 18 per cent of proof spirit, so that 100 gallons, at the rate for other spirits, should pay at least £9, whereas it only paid £5; similarly, wine at the 2*s.* 6*d.* duty, which contained about 35 per cent of proof spirit, should pay £17 10*s.* per 100 gallons, whereas it only paid £12 10*s.*, showing a total loss on the quantity cleared of about £1,000,000 per annum. He did not wish to urge that the duties on either wine or beer should be raised to the full extent at once, but merely to point out the existence of a vast source of Revenue that his right hon. Friend might well deal with in the event of need arising for increased taxation in future.

Sir PATRICK O'BRIEN merely wished to call attention to the proposal to put 4*d.* per lb on manufactured tobacco, and 4*d.* per lb on unmanufactured tobacco. If the Government found it necessary to increase the duty on tobacco for the purposes of Revenue, it should have been 8*d.* per lb on the manufactured article; because he could understand that in that way the Revenue would derive the benefit. But, as it stood, the increase of 4*d.* per lb on manufactured tobacco would have this effect—the poor man would pay 4*d.* an ounce. The tobacconist would put on a halfpenny an ounce, and in that way he would derive a farthing advantage from the poor consumer. On consideration, he trusted the Chancellor of the Exchequer would see whether he could not derive a larger sum for the Revenue by putting 8*d.* per lb on manufactured tobacco.

Mr. DODSON said, there was no occasion to go into a discussion that night on the Budget. The right hon. Gentleman the Chancellor of the Exchequer had not been able to produce this year such a prodigy as was produced last year—namely, a Budget of equilibrium, where there was no excess either the one way or the other. That occurred only once in a generation. The last time was more than 30 years ago. He could congratulate the right hon. Gentleman on the actual Revenue of 1877-8 having exceeded the estimated Revenue by £617,000. He could also congratulate him on the Revenue of 1877-8 having exceeded that of 1876-7 by a considerable amount. The growth of the Revenue in the year was £1,198,000, instead of £455,000, as the right hon. Gentleman estimated. But if he looked to the cause of the growth, it was not altogether so satisfactory. The Excise loss was greater than was estimated, notwithstanding that a general apprehension of increased taxation had drawn into the year just closed much Excise and Custom Revenue that properly would have stood over to next year. It would be well if the right hon. Gentleman would tell them on what class of Stamps the increase had taken place. The right hon. Gentleman knew very well that Stamps embraced a very miscellaneous amount of receipts, and it would be interesting to know to which of them the unexpected growth of Revenue was due. A good deal of the increase, he found, was due to Miscellaneous Receipts, and included £126,000 profits of the Post Office Savings Banks, which were added to Revenue account at the close of last Session; but against that, a corresponding amount of deficiency arising from the old Savings Banks and the Friendly Societies should be set. The most satisfactory amount of growth was in the Income Tax—and it was to that the Chancellor of the Exchequer had addressed himself, in the main, to provide for increase of taxation in the coming year. There was one matter on which he could not congratulate the Chancellor of the Exchequer. He had not been able to keep the Expenditure within the Budget Estimates. The excess of actual Expenditure over the Estimate in the Budget—setting apart the Vote of Credit — was £109,000. Well, the fact remained that here was one more Budget which showed that the Chancellor of the Exchequer was not able to control the expenditure of the Departments so as to bring the actual expenditure within the Budget Estimate. The right hon. Gentleman had again had his usual misfortune—he had been overwhelmed by the large amount of Supplementary Estimates. That was a matter to which he called attention last year, and to which he must call attention again this year. A large amount of Supplementary Estimates was a defect in finance. It was an indication of want of care and accuracy in framing the original Estimates for the year, and it was also an indication of want of firmness on the part of the Treasury. The Supplementary Estimates of this year amounted in all to £913,000. Deducting the Savings Banks and Friendly Societies deficit charges, the Supplementary Estimates for the year had considerably exceeded £700,000; and, in connection with this, he should like to ask the attention of the Committee to a Return in regard to Supplementary Estimates which the Chancellor of the Exchequer, on his Motion, placed on the Table of the House last year; because it showed how the Supplementary Estimates had grown under the right hon. Gentleman the Chancellor of the Exchequer. He would exclude from consideration the year 1873-4, because that was the year in which the Government was changed, and the Liberal Government were responsible for the Estimates in the greater part of the year. The present Government came into Office at the close of the year, and had only the last two months — two important months — in which the finances of the year were wound up. Therefore, he excluded that year, and would only take the last four years during which a Liberal Government was in Office, and exclusively responsible for the finances. In those four years, the Supplementary Estimates amounted, on an average, to something over £500,000; and in the four years for which the

Conservatives were exclusively responsible to over £1,000,000. In the year 1874-5, the Supplementary Estimates of the Conservative Government had been £1,528,000; in 1875-6, £1,144,000; in 1876-7, £1,127,000, and in 1877-8, £913,000. The right hon. Gentleman proposed to meet the deficit chiefly by an increase of the Income Tax. He could not refrain from again expressing his regret at the step which the right hon. Gentleman had taken in 1876 in making such very large exemptions and abatements in the payment of that tax. It was not consistent with sound finance to undermine so much a tax which, in the main, must be the tax to be relied on in an emergency. He was afraid it was in vain to ask what number of persons had been exempted under Schedules A, B, and C. But, from a Report of the Inland Revenue, it appeared that under D and E the number who paid the tax in the year 1876-7 had been only 585,000—whereas it had in 1875-6 been 789,000—and that there would have been 40,000 more chargeable under those Schedules last year; so that 244,000 persons, or 30 per cent, who would have been liable, had gone scot-free. He did not know the loss caused to the Revenue by the abatement of £120 on all incomes under £400. But there was also the greater political objection of making Income Tax, as it were, a charge on a comparatively limited number of persons. If it was to be a tax voted by the many, and paid by comparatively few, they lost a great and valuable check on an unnecessary increase of taxation. As to the tobacco duty, he would only presume that the right hon. Gentleman had consulted with the best authorities as to the possibility of an increase of smuggling. The duty on a pound of common tobacco, worth 8*d.*, was now 3*s.* 2*d.*, or about 500 per cent, and tobacco in general was not only a very highly-taxed, but an easily smuggled commodity.

Mr. J. G. HUBBARD could not join in the criticism on the right hon. Gentleman the Chancellor of the Exchequer, because, at the end of a twelvemonth, the Revenue and Expenditure did not precisely agree with his Estimate. All that he professed to do was to make the best Estimate he could, and the result of that operation he thought satisfactory. He thanked the right hon. Gentleman for the concession as to the Inhabited House Duty, a matter he (Mr. Hubbard) had long been interested in on behalf of his constituents in the City of London. He regretted the increase in the Income Tax, because it threw an undue proportion of taxation on particular classes, and because the right hon. Gentleman had not indicated the result of an inquiry he had undertaken whether any mitigation could be introduced of the inequalities of the Tax. The right hon. Gentleman had said, in introducing his Sinking Fund arrangement, that it would be in the power of the House at any time to suspend or qualify that arrangement. Here, then, was an occasion for doing so. He could not reconcile to himself the amount of taxation raised to pay off the National Debt at the rate of more than £5,000,000 a-year, by a process of taxation, which was driving honesty and truth out of the country. Nothing could justify a Minister in imposing year after year a system of taxation so demoralizing and oppressive.

Mr. DODSON explained that the average of the Supplementary Estimates during the four last years for which the Liberal Party were responsible had been £527,000, and of the Conservative four years, £1,253,000.

Mr. DODDS said, he would only trouble them for a few moments on two points. The first had reference to the very important subject to which his hon. Friend the senior Member for South Durham (Mr. Pease) had alluded—namely, that of loans to harbour authorities under the provisions of the Harbours and Passing Tolls Acts. He earnestly hoped that the right hon. Gentleman the Chancellor of the Exchequer would, when he gave the subject the further consideration he had promised, in connection with the larger question of loans to local authorities, find himself able to adopt the suggestion that had been made to him by his hon. Friend, and extend the provisions of the Harbours and Passing Tolls Acts to existing loans of public harbour authorities, instead of confining advances, as at present, to loans for new works to be hereafter executed. He gathered that the loans already made to harbour authorities, for harbour purposes only amounted to about £900,000; whilst the loans to other local authorities under an extension of the system of granting loans by Public Works Loan Commissioners, inaugurated under the Harbours and Passing Tolls Acts, amounted, he gathered, to almost £20,000,000. A very few additional millions advanced to public harbour authorities would enable them to discharge all their loans at high rates of interest, and to devote their funds more extensively to harbour improvements. His hon. and gallant Friend the Member for Kincardineshire had referred to losses incurred through loans to harbour authorities; but these loans must have been made before the passing of the recent Act, as, under its provisions, loans could only be made to existing public harbours after a full and searching inquiry by a competent engineer, nominated by the Board, as to the utility of the works, the sufficiency of the estimates, and other matters of that kind; whilst, as regarded financial considerations, the most careful investigation was made by the Public Works Loan Commissioners into the financial position of the borrowers, and no loan whatever was granted until the Commissioners were thoroughly satisfied that the revenue was amply sufficient to protect the public from loss. In short, the loans were confined to public harbours, the solvency of which was proved to the entire satisfaction of the Public Works Loan Commissioners. The other point to which the hon. Member wished to refer was one that the right hon. Gentleman the Chancellor of the Exchequer had not referred to in his luminous exposition of the financial affairs of the country, nor had it been touched upon during the debate. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had, during the period when he controlled the National Finance, swept away an immense number of anomalous taxes and charges, and very materially simplified their fiscal system; but the duties, to which he was about to call attention, had been left untouched and their anomalies continued, and were, in his opinion, indefensible. He referred to the duties on probates and administrations, and to the legacy duties. In the first place, the probate and administrative duties were dissimilar, the duty upon administrations being 50 per cent more than that upon probates. For this anomaly no good reason that he was aware of could be assigned. Then, following upon these duties, came the legacy duties, assessed at various rates, varying from 1 to 10 per cent—another anomaly which, in his opinion, ought to be removed. These duplicate charges —for such they were upon what might be termed the succession to personal, as distinguished from real, property—were a most prolific source of vexation, annoyance, and expense, as every hon. Member must, from his personal experience, well know; and this wholly irrespective of the amount of the duties themselves. All this ought, in his (Mr. Dodds') opinion, to be swept away, and a combined and uniform rate of duty substituted. He hoped to have an early opportunity of calling the attention of Parliament more fully to this very important subject, and he should not now trouble the Committee with any lengthy details. He would simply mention what his suggestions were, in the hope that the right hon. Gentleman would take them into his consideration, and make them available on some future occasion. He proposed, in the first place, to abolish the distinction between the stamp duty on probates of wills and letters of administration, and to do away with the anomaly of imposing an additional tax upon a man who left the law to distribute his property instead of distributing it himself by his will. The anomaly ought, he thought, to be put an end to, and the same stamp duty charged upon both documents. Then, he would abolish the various differential rates of legacy duty; and, finally, he would combine the two duties, and levy one uniform *ad valorem* rate upon all successions to personal property. He found that in 1877 legacy duty was paid upon property amounting to £115,000,000, and the sum realized was over £2,846,000, whilst during the same period probate duty was paid upon about £125,000,000 sterling, and yielded about £2,200,000. The aggregate amount of duty derived from these two sources—namely, stamps upon probates, letters of administration, and testamentary inventories and legacy duty was, therefore, about £5,000,000. A uniform charge of 4 per cent would yield somewhat more than this sum, and its uniformity and certainty would increase this amount considerably, and thus greatly benefit the Public Exchequer, whilst it would remove anomalies which were productive of the greatest possible vexation and expense to all who were liable to account for these duties. He would not detain the Committee further, but would earnestly commend these two important matters to the favourable consideration of the right hon. Gentleman and of the Committee.

Mr. GORST remarked that if the operations of the scheme for the payment of the National Debt were to be suspended for a year, there would be no necessity for imposing increased taxation upon the country. Under the name of asking for a war tax, the Chancellor of the Exchequer was in reality asking the people to pay an additional tax for the purpose of paying off the National Debt. He thought that the proposal of the Chancellor of the Exchequer to throw five-sixths of the additional burden of taxation upon the payers of the Income Tax, leaving only one-sixth of it to be borne by the country generally, was an unfair one, and one which was not desired by the masses, who would not object to bear their fair share of taxation.

Dr. KENEALY said, that the whole nation would hear with joy the strong and vigorous language in which the right hon. Gentleman the Member for the City of London (Mr. Hubbard) had denounced what he had truly designated "the iniquitous Income Tax." The right hon. Gentleman was a high authority—higher could not be—on finance, and he had profoundly studied the subject. He had felt it his duty to declare openly in that House that the Income Tax Act was "eating away the honesty of the country." This was a terrible statement, and the worst of it was that it was true; for the right hon. Gentleman had spoken of it as a fact within his own knowledge and experience. That being so, how much was it to be lamented that the Chancellor of the Exchequer not only retained, but even increased this odious impost! He might have avoided doing so by reducing the public expenditure, which was in many things extravagant, and in nothing more so than in maintaining Royal Palaces and Parks for those who were well able to maintain them themselves. The right hon. Gentleman was also expending £5,000,000 a-year in paying off the National Debt. This was hardly wise; for if we could reduce the National Debt to £20,000,000 or £30,000,000 only, instead of the £750,000,000 which it was, we should be simply enabling those who came after us to plunge into the same extravagant and costly wars as those had done who came before us, and for whose folly we were now paying. To apply this £5,000,000 a-year to the public service would be, he thought, wiser than to squander it in this apparent reduction of our burdens; and it would be more appreciated by those who groaned under the Income Tax. He was grieved to hear the right hon. Member for Chester (Mr. Dodson) express his sorrow that the Income Tax did not embrace a larger area of victims to it; and he wondered what the "Liberals" throughout the nation would think of this doctrine, coming from the front Opposition bench by one of the Liberal champions, who felt so much, as they always proclaimed, for the poverty and suffering of the middle and humbler classes. Many of these would be inclined to think that the Budget was framed in the interests of the rich rather than with consideration for the poor. More especially would they do so if the right hon. Gentleman the Chancellor of the Exchequer were to listen to the appeal of the hon. Baronet (Sir John Lubbock), who had adjured him to impose no taxes whatever on those who kept packs of hounds. He, on the contrary, instead of sharing in that sentiment, would be glad if the present tax on hounds were doubled; those who enjoyed such costly luxuries ought to pay for that enjoyment, as they could well afford to do. He joined the hon. Member for Sheffield (Mr. Mundella), and those other hon. Members who followed him, in lamenting that the Chancellor of the Exchequer had not increased the duty on spirits. He might do so without the least fear of that smuggling which seemed to be before the eyes, and in some sort to disturb the rest, of the hon. Member for Greenwich (Mr. Boord). The progress of temperance was on the increase and advance among the best elements in this country; and the right hon. Gentleman the Chancellor of the Exchequer would have had an increase of popularity among the most valuable members of the community if he had discouraged the consumption of spirits by an augmented duty. He thought also that the Chancellor of the

Exchequer would have done well if he had reduced the cost of telegrams from 1*s.* to 6*d.* Many persons were now deterred by the higher price from using the Telegraphic Department who would not scruple to do so if the tariff were lower. He fancied that, as in the penny postage scheme, so far from the revenue in telegrams suffering by this reduction, it would be in a short time doubled. As to tobacco, he did not much approve of an increased duty. Many persons thought that tobacco was used by the poorer classes as a luxury. He believed rather that it was used in numerous instances as a stay of the pangs of hunger by those who could not afford to buy sufficient food. Upon such, therefore—the very poor—this additional duty would be severely felt. But while taxing this poor man's solace, the Chancellor of the Exchequer had not in the least burdened the rich man's pleasure. Why did he not put a 1*s.* stamp upon every bottle of champagne drunk? He calculated that there were at least 100,000,000 bottles of what was called and sold as champagne consumed every year in the United Kingdom. This, if taxed with a Government 1*s.* stamp, would produce a large revenue, and it would fall on those who were well able to pay. Champagne was a wine mostly consumed by very foolish, or very wealthy persons; and he owned he had no such sympathy with either as to relieve them from taxation for their enjoyment while the poor man's pipe was saddled with a new impost.

Mr. Serjeant SPINKS said, he had very great pleasure in rising upon that occasion to express thanks, on behalf of the community he represented, to the Chancellor of the Exchequer for conceding the principle that in the assessment of Income Tax there should be a recognition of the depreciation of machinery. It was a matter which he had always taken great interest in, and only that morning he had received from a large body of his constituents a strong representation upon the subject, and urging him to bring the matter upon this occasion before the notice of the right hon. Gentleman the Chancellor of the Exchequer. While touching upon this subject, he ought also to say that this concession would be a matter of great satisfaction to his hon. Friend and Colleague the junior Member for Oldham (Mr. Hibbert), who last year brought this question under the notice of the House. He should like to put one question with regard to the Railway Passenger Duty. He was not sanguine enough to expect the slightest assistance with regard to the remission of that duty; but the question he was going to ask was, What was the amount which had been derived from that impost during the course of the year which had just ended? And, while upon that subject, he might venture to say that he had been, in common, he believed, with many Members of the Committee which sat upon that subject, very much disappointed that no action had been taken with regard to that which was so strongly proved before the Committee and reported upon—namely, the illegal manner in which the Railway Passenger Duty was levied. That did not simply rest upon the assertion of Railway Companies or of Members who took an interest in the matter, for it might be remembered that several officials belonging to the Government were called before that Committee and gave the strongest testimony as to the illegality of the course now being pursued. He hoped, if that matter could not be dealt with during the present Session, that it would be considered in the next. As regarded the extra duty proposed to be put on dogs, that was a matter on which he looked with a great deal of satisfaction. He had, as Chairman of the Petty Sessions in the neighbourhood in which he resided, had the matter under his consideration, and he was sure that everything which diminished the number of stray dogs was really an additional comfort to the people. As to the increase in the Income Tax, he could not but think that the Chancellor of the Exchequer had taken the right course in obtaining the greater part of the Revenue he required from that tax, especially under the circumstances which now existed, when that tax did not press so heavily as it once did upon the more humble and poorer classes of the community. He hoped that, considering the great amount of additional security which had been provided for the country by the judicious expenditure—for he believed it had been judicious—of money raised by the Vote of Credit, the extra taxes would be cheerfully and readily paid by all classes. As to the tobacco duty, he owned that he did not feel himself competent to speak very much on the question as to whether the charge should be made on tobacco or spirits, for he indulged in neither. Therefore, he was very impartial; but he was afraid that in some cases the tax would fall a little heavy on certain poor people, especially among the agricultural labourers, who, eschewing both spirits and beer, indulged in a pipe after working hours. However, he supposed they must bear their share of taxation with the rest of the community; and he could not help thinking, on the whole, that this Budget, considering the extraordinary circumstances under which it was made, would give satisfaction to the whole Kingdom.

Sir GEORGE CAMPBELL said, he sympathized with the hon. Member for Maidstone (Sir John Lubbock) when he said he should like the whole deficit to be paid by taxation in the present year; but Chancellors of the Exchequer were but human, and they could hardly expect any Chancellor of the Exchequer to bring the virtue of self-denial to the point that the hon. Member for Maidstone desired. He (Sir George Campbell) was content to say, looking at the various circumstances of the case, that the Budget was a just, equitable, and fair mode of meeting the difficulty. In his opinion, the Chancellor of the Exchequer had exercised a wise discretion in the mode in which he had apportioned the taxation. He thought the Income Tax was a fair tax on which to make an increase; and he considered that the Chancellor of the Exchequer had rightly made that increase. It was right, also, to put increase of taxation on those influential classes by whom the warlike feeling was chiefly promoted in the country. The readers of *The Pall Mall Gazette* and *The Daily Telegraph* were, no doubt, payers of Income Tax; and he was glad, by this addition to it, they would be reminded as to the results of the policy which they had adopted. But they knew that the desire for a spirited foreign policy was not wholly confined to the payers of Income Tax; and he thought it right that other classes should have a gentle reminder of the fact that to carry out such a policy meant that they must pay for it, and that by an increased duty on tobacco. He earnestly asked the Chancellor of the Exchequer not to yield to the suggestions of hon. Members to further tax spirits, seeing the difference already existing between the dues paid on spirits, such as Scotch whiskey and English beer. The tax on whiskey, in proportion to the amount of alcohol which it contained, was actually six times as heavy as the tax on beer, or was, at all events, enormously heavier. He was inclined to believe, with the great majority of medical men, that when alcohol was consumed it was better to take it in the shape of a little whiskey and water than of the beer which was so largely drunk in England, though he agreed with his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson), that it would be still better not to take it at all. It appeared to him, that the state of beeriness in which both both men and some women so habitually lived in England was a great deal worse than any occasional excess which occurred in the drinking of whiskey in Scotland. In Scotland, a considerable portion of the population lived from month to month the life of Arcadians, drinking nothing but water; and, if once or twice a-year they did get drunk on the occasion of some hiring market, that, he thought, was not half so great an evil as the constant "boosiness" in which Englishmen indulged in consequence of the facilities which were open to them for drinking beer. He wished, in the next place, to say a few words on another subject, in respect to which he was happy to say the Chancellor of the Exchequer had done an act of long-deferred justice to Scotland—he referred to the proposed remission of the tax on collie dogs. ["No!"] Yes; the right hon. Gentleman had stated that the shepherd's collie dog—that was to say, the poor man's dog—was to be exempted from taxation; and although some hon. Members seemed to think that proposal was wrong, he, personally, had taken a very different view of the subject since the occasion on which he had canvassed the electors of a Scotch county in the Highlands some 10 years ago. He then happened to attend a meeting, at which he made a speech touching on foreign affairs and a great variety of other questions, without having been able to move, in the slightest degree, the feelings of his audience. Before he concluded, however, somebody having mentioned the point to him, he told the meeting he had something to say with regard to collie dogs. The announcement was greeted with a roar of applause, and he at last found out what was the particular subject in which the meeting seemed to take the greatest interest. The proposal of the Chancellor of the Exchequer with respect to it was, in his opinion, a great act of justice, and would be fully appreciated by the people of Scotland; but how far it was right to make the exemption by means of placing additional taxation on other descriptions of dogs he was not prepared to say. It was, no doubt, wise to have some sort of tax upon dogs for the purpose of registration; but whether it was well to levy a tax on the poor man's pet he was not sure. But he was happy to be able to bear testimony to the equity, prudence, and boldness of the Budget, and he would not at this moment cavil with the Chancellor of the Exchequer about so small a matter as the increase of the taxation on dogs. Before he resumed his seat, he desired to make a few remarks on the subject of local taxation. That was a subject on which he had constantly had occasion to exercise his mind in another country, and since he returned to England he had sat on Committees of that House, and was now a Member of one whose investigations bore on the question. It had also come under his notice last year that, especially from Scotland, a number of measures for the purpose of effecting local improvements were brought before the House, there being no less than three borough Water Bills from his constituency. Now, he was very much opposed to the increases of debt, and to the throwing on posterity additional burdens; but he knew, from experience of the case of the borough of Kirkcaldy—that the raising of local loans, such as those to which he was referring, was a great advantage when the funds were prudently administered, as he believed they were in Scotland. Though, therefore, he wished to resist any extravagance with respect to the granting of local loans, he did not think it would be wise to check their prudent application. He was of opinion that the interest charged on those loans should be such as not only to recoup the Exchequer, but also to cover any possible losses in regard to their repayment. There was, however, a great deal of trouble and expense attending the promotion of Private Bills for the purposes of improvement loans, and much was left to chance, and to the views which might be taken by a particular Committee, as to whether those Bills were successful or not. Although there were some objections to the State becoming a public money-lender, yet those who came to the State for loans were subjected to a scrutiny from the Local Government Board, which checked extravagance, and, in some degree, enforced economical and prudent expenditure. While, therefore, he recognized the justice of the remarks which had been made by the Chancellor of the Exchequer on the subject, he would venture to express a hope that he would not be too hard on small bodies who made application for local loans, so as to prevent small boroughs, such as that which he had the honour to represent, from obtaining the money which they wanted to carry out really useful works, without the expense and labour which attended the promotion of Private Bills.

Mr. CHILDERS: I wish to make one or two remarks on the proposals of the Chancellor of the Exchequer; but, of course, not with the view of debating the main propositions which he has laid before us, the discussion of which may very well be deferred to another day. I would, in the first place, say a few words on a subject which has been adverted to by the hon. Gentleman who has just sat down, and the hon. Member for Greenwich (Mr. Boord). I mean the disproportion between the duty levied on spirits and that which is levied on beer. No doubt, if you take the quantity of alcohol in spirits, you will find that it is taxed much more heavily than the alcohol in beer; but what, I would ask, do those hon. Members who complain of that disproportion, propose to do to remedy it? Is any one of them prepared to say that the duty on beer should be doubled, or that the duty on spirits should be diminished by one-half? I think the hon. Member for Greenwich would soon discover, if he were to propose an increase in the Malt Tax, that his proposal would be almost overwhelmed by the opposition which it would create; while the whole House, with very few exceptions, would resist any Motion which might be made for a large reduction of the duty on spirits. If you diminish the tax on spirits by one-half, you will cause an immediate loss to the Revenue of £10,000,000 or £12,000,000 a-year. [Mr. Boord said, he did not propose the reduction of the spirit duties.] I was asking, not the hon. Gentleman only, but all who complain of this disproportion, whether they proposed to reduce the duty on spirits?—and I would remind them that if £10,000,000 or £12,000,000 of Revenue are sacrificed, the ingenuity of the Chancellor of the Exchequer would, I am afraid, be very severely taxed in trying to find a substitute for so large an amount. Fivepence in the pound in the shape of Income Tax is hard enough; but to have to impose an 11*d.* Income Tax, in order to adjust the duties on alcohol, would frighten the most courageous Chancellor of the Exchequer. But, be that as it may, my chief object in rising was to ask one or two Questions of the right hon. Gentleman, premising that under the special circumstances of the case the Committee will, I am sure, agree with me that nothing could be clearer than the statement which he made this evening, and that no one could have placed his proposals before us in a more satisfactory way. The first remark I would make has reference to what fell from my right hon. Friend the Member for Chester (Mr. Dodson), who said that we have now another instance of the Expenditure of the year exceeding the Budget Estimate. That may be regarded as a small matter; but it has been for many years a rule of finance that the Expenditure ought to be kept within the Budget Estimate. Now, it so happens that, only once during the time of the late Government, was the Estimate exceeded by the actual Expenditure; but I am afraid there is not a single year in which the Expenditure has not exceeded the Budget Estimate since my right hon. Friend the Chancellor of the Exchequer has occupied his present position as Finance Minister. My right hon. Friend, I have no doubt, regrets as much as any Member of the House, that that should be so, and I think the House ought to support him in insisting that the various public Departments should so regulate their expenditure that the Estimate should not be exceeded. I would, in the next place, like to say a word as to the outcome of the Revenue during the last year. My right hon. Friend says it is quite true that, in the case of each of the last three Budgets, we on this side of the House have questioned the soundness of his Estimate, and that this year, as in former years, the total Revenue has exceeded that which the Government anticipated. Well, those two statements are perfectly correct; but it must be borne in mind that the only two items of Revenue which independent Members who are not behind the scenes can really question are the Customs and Excise; and last year several hon. Members, as well as myself, did question, so far as the information at our disposal enabled us, whether the Chancellor of the Exchequer was not too sanguine as to those items. He will recollect that on two previous occasions we were right in the view which we took, and this is now the third time in which the Customs and Excise Revenue have fallen below my right hon. Friend's Estimate. It is very true that the items were better than those shown in the original Budget; but, candidly enough, the Chancellor of the Exchequer informed the Committee that he received from the Customs and Excise, within the last few days, a considerable amount of Revenue which, properly speaking, belongs to the year 1878-9. He mentioned the sum of £350,000 as the amount which has been thus anticipated and brought into the Revenue of 1877-8. Now, the Customs and Excise duties have exceeded the Estimate of the Chancellor of the Exchequer by some £83,000—the Customs Revenue being £119,000 more than the Chancellor of the Exchequer expected to receive, and the Excise £36,000 less; and if the right hon. Gentleman received £350,000 which really belonged to the present year, the result was that the Revenue from Customs and Excise had fallen short of the Estimate by £266,000 or £267,000—a considerable amount, and justifying, in my opinion, the caution with which we recommended him to proceed in estimating those two sources of Revenue. The next point to which I wish to call the attention of the Committee is that it has been the invariable custom, on all these occasions, so long as I can remember—and certainly it has been the Chancellor of the Exchequer's own practice—to state the amount of the Debt and the public balances at the end of the financial year, showing to what extent the National Debt was being paid off. This statement has, owing, no doubt, to some accident, been omitted on the present occasion. I do not blame the Chancellor of the Exchequer for the omission, considering the amount of details which he has felt constrained to give us on other points. This, however, is a year in which it is very desirable we should know what has been done towards the reduction of the Debt; for I observe that, during the last quarter, the amount of Debt raised in excess of the amount paid off was no less than £5,500,000—the exact figures given in the *Gazette* Return being £8,799,000 of Debt raised, and £3,472,000 of Debt paid off, showing a net increase of Debt for the quarter of £5,547,000. What I should like to know is, how the Debt stood on the 1st of April? I rather suspect that the Funded and Unfunded Debt and the Terminable Annuities stood very much at the same figure as on the 1st of April, 1874. The Chancellor of the Exchequer also referred to the local loans, and to the extent to which the necessity for providing for them had pressed on the financial arrangements of the Treasury. Now, all that he said on that subject may be very true; but, remembering, as I do, the debates which took place in 1874, 1875, and 1876, I am bound to remind my right hon. Friend that great credit was taken by the Government for the advantages which they proposed to confer on local institutions by enabling them to borrow money on easier terms. If it has turned out that the amount of those loans has been too great, then they had better reduce it, for the total annual amount is settled by Government and need not be exceeded. At a time when the Metropolitan Board of Works can borrow in the open market at the rate of 3½ per cent, I cannot see the necessity of looking so much to the Exchequer as the great lending institution. I should wish, also, to make a remark about the Expenditure charged on the Vote of Credit. Only the other day, some of us ventured to say that it was impossible to spend the £6,000,000 for which we were asked during the remainder of the financial year. For making that statement we were rebuked. We were told that £6,000,000 was the sum expected to be spent, and that any portion of it which was not spent would be repaid into the Exchequer. Well, no one can deny that the Government have shown the greatest possible activity in the matter of this Expenditure. The whole energy of the spending Departments has, during the last two months, been devoted to getting rid of the £6,000,000 as quickly as possible up to the very last hour; but, after all, only a little more than one-half has been expended, although enormous sums have been given for the purchase of iron-clad ships. There is another point which I want the Chancellor of the Exchequer to make quite clear—that is to say, whether, quite irrespective of any special Expenditure, the ordinary Revenue is not short of the ordinary Expenditure by £1,560,000? So that, if there had been no extraordinary Expenditure whatever, we should still have had another 1*d.* added to the Income Tax; so that the policy of the last four years has resulted in this — that after two years 1*d.* has been added to the Income Tax, that in other two years another 1*d.* has been added; in other words, that, leaving wars and rumours of wars out of the question, for the ordinary purposes of Government, 2*d.* has been added to meet increased Expenditure. Upon the proposed increase of taxation, I do not at present wish to make any remark. At another time the proposal to add 2*d.* to the Income Tax and 4*d.* per lb. on ordinary tobacco will come before us, and be discussed at length; but there is one Question to which I should be glad to have an answer. Is it proposed to add only 4*d.* to the cigar duty? If so, I question whether justice will be done to the home manufacturer of cigars, as against the importer—a pound and a-half of tobacco being required for a pound of cigars. I will conclude by asking the Chancellor of the Exchequer when he proposes to take further debate on the subject? I would suggest that, after the necessary formal Resolutions, he report Progress to-day, take the Committee *pro formâ* to-morrow, and settle then when the proposals shall be discussed. I know it is important that certain Resolutions should be taken to-night for the protection of the Revenue; but I hope the House will then have a reasonable time to consider the statement generally.

Mr. MONK did not rise for the purpose of adding anything to the able criticisms of the right hon. Member for

Pontefract (Mr. Childers). Were he inclined to say anything in regard to the Budget, he would, perhaps, express his regret that the Chancellor of the Exchequer proposed an addition of 2*d.* to the Income Tax, instead of endeavouring to equalize direct and indirect taxation by adding to the duty on spirits. His purpose in rising now was to make a very modest request to his right hon. Friend the Chancellor of the Exchequer. He was good enough to listen to a request made by him (Mr. Monk) last year as to taking off a duty levied on institutions to benefices. There was still a duty imposed upon licences granted by Ecclesiastical Courts for improvements or additions made in churches or churchyards. The amount of duty was, probably, under £500; but, while it was so small, it was considered a great grievance by those who were called upon to pay it. Whenever any alteration was made in a church or churchyard it was necessary, according to the law confirmed by the Public Worship Regulation Act, that a faculty should be obtained from the Bishop of the diocese. These alterations were paid for by subscriptions raised among the congregations themselves, there being no fund out of which their cost could be defrayed. It was thought to be a grievance to have to pay even the small tax of 10*s.* on a faculty to obtain which additional fees and other payments were necessary. The abolition of this tax would be very pleasing to those connected with the Establishment.

Mr. M'LAGAN joined in the congratulations offered to the Chancellor of the Exchequer by the hon. Member for Kirkcaldy (Sir George Campbell) upon the Budget that had been laid before the Committee. In putting a Question that evening with regard to the Passenger Duty, he (Mr. M'Lagan) did not expect to get any different answer than that given to him. He was glad, however, to find that the question of repealing the Passenger Duty was still open, and that when times were better a diminution might be expected. Now that all other taxes on locomotion were abolished, it was a simple injustice that this tax should be continued. With regard to the Estimates, he, unlike some hon. Members, thought it better that Estimates should not be full than that they should. If they had full Estimates, the Expenditure was likely to come up to them; but when there was a short Estimate, there must be Supplementary Estimates, and the criticism to which such Supplementary Estimates were subjected constituted a sufficient check on Expenditure. He thanked the right hon. Baronet the Chancellor of the Exchequer for the exemption from the dog tax of shepherds' dogs; but he wished the dog tax had been increased to 10*s.* instead of to 7*s.* 6*d.* That, he believed, would have been more satisfactory to the country. He would like to know whether the exemption would extend to dogs employed by those in charge of cattle as well as by those in charge of sheep? If so, there would be a possibility of evasions of the law. He was sorry that still more duty had not been imposed on tobacco. The consumer would have to pay the whole of the tax put on; whereas, if it had been raised by 6*d.* or 8*d.*, the dealers would not have had the same advantage over the consumers which they would have when a sum not so easy to divide was added to the duty. He was glad no additional duty had been laid on spirits, which were taxed sufficiently. He would not wish to see the tax reduced; but if a tax was to be laid on alcoholic liquors, it should be accompanied with more taxation on beer and wine, so as to put England, Scotland, and Ireland more upon a level with regard to their payments. The tax on wines from France, in particular, should be increased; because the French had shown that they did not appreciate the boon we had given them in admitting their produce to this country at a low rate.

Mr. M'LAREN thanked the Chancellor of the Exchequer for his Budget. He thought it excellent, and had no Amendment to suggest; but he wished to remark upon some suggestions made by some hon. Members on the Ministerial side of the House. The hon. and learned Member for Chatham (Mr. Gorst) maintained that it would have been better if the new taxation had been so proportioned that a larger part of it would have fallen on the working classes. Now, he (Mr. M'Laren) approved the Budget, because there was no special taxation of working men, who would have to pay only their share of the increased tobacco duty. The working classes already paid far more than a fair share in proportion to their income of the taxation of the country. From a Parliamentary Paper issued that morning, it would be seen that the National Revenue from actual taxation last year was about £65,500,000. Another Return, issued recently, showed that the duties on spirits, malt, and tobacco, and the licences for selling these articles, came to £39,000,000. This sum did not include wine. This £39,000,000 was mainly paid by the working classes, as being by far the most numerous, and it was 60 per cent of the whole taxation of the country. He held, therefore, that the working classes paid a great deal more than their just proportion according to their income. Other hon. Members had said that additional duty might have been put upon spirits. That could not have been done without injustice, unless the whole question of the relative duty charged on spirits and beer had been taken into consideration, and the duties revised together. In all matters of taxation, a Chancellor of the Exchequer must naturally desire to treat equally every part of the United Kingdom. But the Chancellor of the Exchequer could not carry out this wish by adding to the spirit duty. Taking the quantity shown by the Inland Revenue Report to have been consumed last year, and assuming that 1*s.* would have been the amount of additional duty imposed, the effect would have been that Scotland would have had to pay £410,000. Under any equable adjustment, England being seven times as populous, and far more than seven times as wealthy, ought then to have paid seven times £410,000, or £2,870,000; but, under the present mode of adjustment, England would only have paid, upon a 1*s.* being added to the spirit duties, £1,334,000, because of the comparatively small quantity of alcohol consumed in the shape of whiskey in England, and of the large quantity consumed in the shape of beer, which was taxed to an infinitesimal extent as compared with whiskey. The man who took his ounce of alcohol with water paid six times as much taxation for it as the man who consumed a quantity of beer containing the same quantity of alcohol. No one who had studied the facts and figures of this subject could suggest an increase of taxation so unjust to Scotland. Since 1863 the duty on spirits had been raised six times; but, whatever the duty was, the consumption had continued to increase. It was useless, therefore, to attempt to check consumption, as had been suggested, by an increase of these duties. He was thoroughly statisfied that the Budget was a good one.

Mr. C. S. PARKER thanked the Chancellor of the Exchequer, on behalf of the shepherds and sheep-farmers of Perthshire, for the proposed exemption of their dogs from taxation, and hoped that the practical instructions issued would not unduly limit the expected boon, but would exempt as many dogs as were actually employed by them in tending sheep. He hoped that the right hon. Gentleman would not listen to the suggestion of the hon. Baronet the Member for Maidstone (Sir John Lubbock), that hounds should be exempted from the tax. They were kept not for business, but for pleasure, and there was no good reason why they should be exempted.

Major NOLAN could not approve of the proposed increase in the tobacco duty, which would be seriously felt in Ireland. Besides, the working classes already paid more than their proportion of taxation. The reason that the tobacco tax would fall more heavily on Ireland than on England was that Ireland was not so wealthy, while smokers naturally consumed about the same amount of tobacco. He thought it fortunate that the spirit duty had not been raised, or the question adverted to, when some Irish Members were present; because many were prepared with good speeches and long ones, having plenty of statistics in them, to fire off at the Chancellor of the Exchequer. One hon. Gentleman told him he was prepared to speak for two hours; and, as he had recently spoken on a kindred subject for two hours and 50 minutes, he (Major Nolan) rather thought the hon. Gentleman would have kept his word. The whole argument against the imposition of an extra spirit duty was summed up in the conclusion arrived at from statistics by the hon. Member for Edinburgh (Mr. M'Laren), that anyone drinking spirits paid six times as much on alcohol as anyone paid who drank beer. It would be wrong to raise the tax on spirits without raising the tax on beer. The Chancellor of the Exchequer would see that the heavier the tax on incomes the greater became the importance of a question which he (Major Nolan) wished to bring forward when he had another opportunity—namely, the question of the abatement from that tax. He saw no reason why the abatement should cease to be allowed when incomes reached £400. The fair and mathematical proceeding would be to deduct the same sum from everybody's income before levying the tax, and at a future stage he thought he would divide the Committee upon this question. He was also in favour of an extension in the amount of the abatement, the result of which would be that the Exchequer would lose a large sum on very small incomes; but as small incomes paid proportionately more indirect taxation than large ones, the extension would be just. A man of large income could only consume about the same amount of Exciseable and Customs' commodities as the man of small income, so that the former did not suffer so much from indirect taxation, and ought to pay more direct taxation. This question would become very important if there should be a large War Income Tax. The men of small incomes would not care to pay an Income Tax of 1*s.* or 1*s.* 2*d.* He hoped the Chancellor of the Exchequer would not listen to suggestions to increase the spirit duties at any future time, and that he would not be so unjust as to put a heavy amount of taxation upon Scotland and Ireland in order to relieve the responsibility of England.

THE CHANCELLOR OF THE EXCHEQUER: Before replying to the observations and criticisms that have been made upon my necessarily unpleasant Statement, I would thank the Committee for the attention with which that Statement was listened to. I can only say that I congratulate myself and the Committee also on the spirit in which the proposals have been received. Of course, I quite understand that in allowing the discussion to close this evening, those who have taken part in it in no way commit themselves to approval of the whole, or, indeed, of any part, of my Statement. They have only assented to the passing of the fiscal Resolutions, which could not be delayed without very great inconvenience; but which, of course, will be subject to be reversed if the House so thinks fit. What I propose is, that we should take to-night the Votes for the tea and tobacco duties, and then report Progress on the other Resolutions, for the discussion of which we can hereafter fix a day. There is some inconvenience, of course, in not passing the Income Tax Resolution at once; but we have faced that inconvenience before, and we must face it again for a few days. A good deal of discussion has gone on to-night upon proposals which have not been made. I will not enter into the merits of those proposals, except to say that I doubt whether an addition to the spirit duties would, as a financial operation, be successful, for there has been a continuous falling off in that source of Revenue, and it seems to me that the experience derived from various attempts at increasing the duty does not speak very much in its favour as a fiscal measure. As regards some of the arguments that have been brought forward, I would say of them that I do not think we ought to attempt to adjust our taxation upon theoretical or mathematical bases. It is perfectly impossible to make the taxation of this country so accurately and mathematically equal as some hon. Gentlemen seem to think. You could not take different kinds of strong drink—such as spirits, wines, and beer—and adjust your taxation in accordance with the precise quantity of alcohol in each. Neither do I think you could take the Income Tax and so adjust it as that it would bear with the same amount of pressure upon everybody. My right hon. Friend the Member for Pontefract (Mr. Childers) seems to think that as regards the duties on tobacco it would be unfair, while raising the duty on unmanufactured tobacco, not to raise it on cigars to a somewhat greater extent, so as to equalize the price of the article. That is not the principle upon which we proceed. If he looks into the matter, he will see that the tax is levied on the leaf as it comes into this country, and when it so comes it is either used in the form of leaf tobacco, is cut up into smoking tobacco, or is made into cigars. Some of the tobacco brought into this country is not brought in in the form of leaf at all, but in the form of ready made cigars. The object, then, is so to tax the foreign cigar as fairly to represent the cost of manufacture in this country. The scale of such taxation is that which was settled in 1863, after very careful consideration and long debates in this House, under the scheme of my right hon. Friend the Member for Greenwich (Mr. Gladstone), and which established a difference amounting, I think, to 1*s.* 10*d.* between the manufactured cigar and the unmanufactured leaf. If, therefore, you were to raise the duty on cigars to more than that amount above the duty on the unmanufactured article, you would do one of two things—you would either give protection to the British manufacturer against the foreign importer, or you must find some means of taxing him on the manufacture of his cigar after he has got the leaf. That would involve an inconvenient process; and, therefore, we propose, in order to avoid the inconvenience, to raise the tax by 4*d.* all round. An hon. Member has recommended us to raise it by 6*d.*, because that would be a sum more easy of calculation; but 4*d.* per lb. represents ¼*d.* per ounce, and that, perhaps, is just as easily divisible as 6*d.* The right hon. Gentleman the Member for Chester (Mr. Dodson) has asked me what particular class of Stamps shows the largest amount of increase this year? The fact is, that there are very slight differences under all the different heads of Stamps. There are small improvements under the heads of Stamps for Legacy and Succession Duties, Labels, Bills of Exchange, and Bankers' Notes; and there is somewhat of a falling-off under the heads of Probate, Deeds, Receipts, Drafts, and other Instruments. But the changes are so slight, that I do not think there is any other inference to be drawn from them, than that the Revenue from Stamps has, on the whole, fairly kept up. My hon. and learned Friend the Member for Oldham (Mr. Serjeant Spinks) has asked me the amount received from Railway Passenger Duty this year; and my answer is that it was £750,000. Then my right hon. Friend the Member for Pontefract (Mr. Childers) wishes me to state to the Committee that which, in point of fact, I frankly stated before—namely, that, irrespective altogether of the extraordinary Expenditure caused by recent events, the Expenditure for the coming year will exceed the Estimated Income by a sum which would be covered by an addition of about 1*d.* in the pound to the Income Tax. I am sorry that this is so, and that I should have been brought under the lash of my right hon. Friends the Members for Greenwich and Pontefract. I have made my Statement in the way which I thought would be most clear to the Committee, and without wishing to conceal the fact that there was a deficit in the past year, and that there is a likelihood of a deficit in the coming year. I will not go into either excuse or justification—whichever you like to call it—of this increase in the Expenditure. To a very great extent, however, I may say that the increase has been, and is, due to legacies that have been left to us by our Predecessors—not legacies of which I wish to complain, but still legacies. The Education Act, for which they claim—and very justly claim—a great deal of credit, has been a very expensive measure to the country, and it is an expense which must, in the nature of things, go on increasing. I do not complain of this, because I think the Act is a very proper one to have passed. The Party opposite passed the Act, and right hon. and hon. Gentlemen are never tired of claiming credit for it; but they must not blame us for carrying it out—when they have ordered the dinner, they ought not to complain of us who have to pay the bill. I might say the same of certain portions of our military expenditure. Many of the improvements which were made by the last Government have been heartily accepted by my right hon. Friend (Mr. Hardy); but, though excellent, they have been found to be of a very costly character. So it has been with other matters; and these remarks connect themselves with a subject on which some remarks were made by my right hon. Friend the Member for Greenwich at an earlier period of the evening. My right hon. Friend seemed to be rather hurt at my having mentioned the Harbour and Passing Tolls Acts as the commencement of the loan system for public works; but where, I would ask, is the further development of the system thus established to be found? Not in any measures of ours, but in measures passed by a Government of which my right hon. Friend was the head—I allude particularly to the Education Act, under which a system of local loans to school boards was set on foot. The greater part of the expense so created has been cast upon us. Then there are the Sanitary Acts, which established the same principle, and put upon us a large amount of expense. Then my right hon. Friend says—"You have done good service in calling attention to this matter, but why do you not do something more; why do you not attempt to check it?" The right hon. Gentleman the Member for Pontefract (Mr. Childers) again, says—"This is a matter on which we have been in the habit of taking a great deal of credit to ourselves." This may be so; but I venture to say that we are doing—and have been doing—all that we can in order to prevent the evils arising from that system. We have done more than one thing in this direction since we came into Office. We have, in the first place, instituted the principle of bringing in a local Budget, by means of a Bill, which gives an annual opportunity of discussing the system of local loans, instead of leaving the Treasury to lend money at discretion. Let me also remind the Committee — and through them the public—that we have passed an Act for the purpose of rendering it more easy for local authorities to borrow money independently of the Public Works Loan Commissioners. With regard to the question of the tax on dogs, I would request hon. Members to wait until they see the clauses of the Bill. I doubt whether we can profitably discuss it at present. Then there remains the Question of my right hon. Friend the Member for Pontefract, and his reminder that I have not stated the condition of the Debt. I believe the result of the year to be that the permanent Funded Debt on March 31, 1877, was £712,621,000, and in the past year there has been created for Telegraph Service an additional £314,000, making in all £712,935,000. In the course of the year, £1,166,000 have been cancelled by the new Sinking Fund; the old Sinking Fund was used to pay off advances of £48,000; Life Annuities, £723,000; Land Tax, £92,000; and the Judicature Act, £31,000, making a total of £2,068,000; so that the permanent Funded Debt on the 31st of March stood at £710,867,000, being an estimated decrease on the year of £1,753,000. Then with regard to Terminable Annuities, the estimated value on the 31st of March, 1877, in 3 per cent Stock was £49,308,000; and on the 31st of March, 1878, it was £46,328,000, or a decrease of £2,979,000. But when we come to the Unfunded Debt the case is different. The Exchequer Bills outstanding at the beginning of the year were £4,193,000, and new Bills were issued in the year for local works to the amount of £400,000, making a total of £4,593,000. Then there were Exchequer Bonds outstanding at the beginning of the year amounting to £7,550,000, less a portion of the Suez Canal Bonds paid off, £60,000, and new Bonds issued on account of the Vote of Credit £2,750,000, making up the amount of the Bonds outstanding on the 31st of March to £10,239,000. There were also Treasury Bills outstanding at the beginning of the year to the amount of £2,200,000, and new Bills amounting to £3,570,000; in all, £5,770,000. Therefore, the total amount of the Unfunded Debt at the end of the year was £20,603,000, against £13,943,800 at the beginning of the year, or an increase of £6,659,000; which is due, of course, mainly to the money borrowed on account of the Vote of Credit and for local loans. I may, making a comparison of the whole period during which the present Government has been in Office, state the Debt as follows:—In round figures, the Debt, when the Government came into Office, was £779,300,000, and the amount due from persons and public bodies to whom the Government had lent money was £15,300,000. This last amount may be described as assets; and, deducting them from the gross amount it leaves a net Debt of £764,000,000. On the 31st of March last the Debt was £777,800,000; but the amount due to the Government on the Suez Canal Shares, and from persons and bodies to whom money had been lent, was at the same date £30,800,000; so that the assets, so to speak, have doubled since the accession of the Government to Office. The net Debt, therefore, on the date I have mentioned was £747,000,000, as against £764,000,000 at the former date, making a diminution in the net amount of £17,000,000.

Sir H. DRUMMOND WOLFF asked the Chancellor of the Exchequer whether the addition of 4*d.* per lb. to the duty on tobacco was on both manufactured and unmanufactured tobacco? [The Chancellor of the Exchequer: Yes.] It was rather an awkward thing to make the duty 5*s.* 7*d.* per lb., and he thought the retail dealer would take advantage of the odd figure and charge an even shilling. He also thought the rapid increase in the Income Tax, weighing heavily as it would upon persons with small fixed incomes, was a most dangerous experiment. He could see no valid reason why some addition might not have been made to the spirit duties; and he hoped the matter would be reconsidered before the taxation for the year was finally fixed.

Mr. PARNELL regretted that successive Chancellors of the Exchequer had so framed their Budgets as that the largest part of the money taken from Ireland and Scotland for Imperial purposes was drawn from the very poorest of the people, instead of from the middle and upper classes, as was the case in England. Ireland contributed in taxes on articles of consumption and use a sum of £5,360,112, of which amount more than £4,500,000 was derived from the duties on spirits and tobacco, which were chiefly consumed by the very poorest of the people. It was said that whiskey was not more heavily taxed in Ireland and Scotland than in England; but it was forgotten that in those countries whiskey was the common beverage of the poor people, which was not the case in England. Everyone who had lived for a number of years in Ireland must have observed that whiskey as a beverage was natural to the climate, just as beer as a beverage was natural to the climate of England. Various circumstances attendant upon the poverty of the people in Ireland made them more prone to have recourse to the use of stimulants than if they were well-off and well-fed. Many a man suffering from the pangs of hunger, and having only a few pence in his pocket, thought he would acquire more temporary strength for the work he had to perform by purchasing a glass of whiskey than if he spent the same amount on bread. Undoubtedly, people who were miserable and badly-off would always seek consolation in the use of ardent spirits. Of course, he would be told that it was perfectly fair to levy such a tax on whiskey, as its incidence was the same in Scotland and England. The present Chancellor of the Exchequer was certainly not responsible for the original rise in the spirit duties. A former Chancellor of the Exchequer, seeing that he had a poor country to deal with in Ireland, and conscious that he could not hope to raise any Revenue worth speaking of, if contributed by the classes who furnished the principal portion of the Revenue in England, deliberately selected an article upon which he should be able to get a large increase of Revenue from the poorest classes. The taxation of spirits and tobacco was a monstrous imposition as regarded Ireland. The Revenue from all sources in that country amounted to about £7,500,000, and in England it reached £67,000,000. But in Ireland the Revenue contributed by the very poorest people was relatively very much greater than was contributed by the same class in England. It was only by taking advantage of the taste of the people of Ireland for stimulants and tobacco that they had been able to raise any Revenue in that country worth speaking of. He knew how Ireland could get out of English rule to a large extent. If Irishmen would only give up drinking whiskey, and so deprive the English Government of £5,500,000, the Government would conclude that it was not worth while retaining that country, and would let it try to govern itself. He did not, however, see any probability of a great diminution in the amount of spirits drunk in Ireland, although the Sale of Intoxicating Liquors on Sunday (Ireland) Bill might effect something in that direction. The broad fact still remained — that of the Revenue of £7,500,000 derived from Ireland, £4,500,000 was derived from the duties on spirits and tobacco—£3,500,000 being realized from spirits, and £1,000,000 from tobacco. The increase in the duty on tobacco was a matter which deserved the serious consideration of Irish Members. In the case of Ireland that tax would come out of the pockets of the very poorest people. A dozen other methods of taxation might have been devised by which the poorest classes in Ireland would not have been called upon for that undue amount of contribution. It was true they smoked a cheap kind of tobacco; but the incidence of this tax would fall equally upon all kinds of tobacco—cheap and dear. Thus the tax of 4*d.* per lb. would affect the poor man who smoked bad tobacco quite as much as the rich man who smoked Havannah cigars.

Mr. MITCHELL HENRY said, that if the Chancellor of the Exchequer, as was generally expected, had imposed an addition to the spirit duties, the probability was that with the rising sense in Scotland of the injustice of the alcoholic duties, and the long-continued sense of injustice in Ireland on the same subject, it would have been impossible to have got the Budget through before the Holidays. The subject of the alcoholic duties was too important to be dealt with in a desultory manner, for he believed it would become a great question that would divide the three countries. There could be no doubt, whatever, that the duties upon spirits affected the Scotch and Irish peoples in a manner that was absolutely and abominably unjust. In Ireland, during the last 25 years, they had raised the duty on spirits 400 per cent; and that had been done, as the hon. Member for Meath (Mr. Parnell) had pointed out, in order to get a Revenue from the country. Now, that Revenue was contributed by the poorest, the most ill-fed, and the worst-clothed population in the whole of Europe. Assuming that a labouring man spent 2*s.* a-week in alcoholic drinks, the labourer in England bought beer with it, while the labourer in Scotland and Ireland bought whiskey. Each of the three men would consume very nearly the same amount of alcohol; but the spirit drinker contributed 1*s.* 6*d.* to the Chancellor of the Exchequer, whilst the man who drank beer only contributed 3*d.* From the remarks of his hon. Friend one would suppose that whiskey grew indigenously in Ireland. The reason why spirits were so largely consumed in Ireland was that beer was the product of a high state of civilization. Its manufacture required great capital, besides great care and experience. Breweries were very numerous in England all over the country, and the trade was a very lucrative one. In Ireland breweries were very few in number; and, although very good beer was brewed in Dublin, there was but a very small consumption of it in the provincial districts in Ireland —spirits being almost exclusively drunk. That was the reason why the duties had been raised; and he trusted that the time was coming when a stand would be made upon that subject, and when Scotchmen and Irishmen would insist that something like equality should be introduced in the taxation of alcoholic beverages. He was not in favour of levelling the spirit duties down—he did not want to make spirits particularly cheap; but he wished to put them on the same level as beer, and therefore he would level up the duties on beer. If the Government taxed beer on its alcoholic strength in the same way as they taxed spirits, they would raise upwards of £90,000,000 a-year. It was also proposed to increase the duty on tobacco. That plant had been cultivated with great success in Ireland, where excellent tobacco was grown and could be grown again, the climate being exceedingly well suited to it. But the English Government had entirely prohibited the cultivation of that plant, which had formerly been prosecuted with great success. The Government were going to realize £700,000 by a tax of ¼*d.* per ounce on the ordinary tobacco which the people smoked. But did any Member of the House suppose that the consumer would get it for ¼*d.*? Tobacco would be raised at least ½*d.* per ounce, and the farthing would go into the pockets of the retailer. It appeared to him that that was an exceedingly cruel proposition. Tobacco was valued by the poorer classes when they were old, worn-out, and ill-fed, even more than the food they consumed. If the Chancellor of the Exchequer had really desired to act justly, he would have imposed an additional 1*s.* on the wine duty. Wine was consumed almost solely by the upper classes; the lower classes did not drink it, and they would not appreciate it if they did. The public paid now 6*d.* a-glass for the commonest claret across the counter, and if the duty was raised 1*s.*, making it 2*s.*, it would not in the slightest degree interfere with the retail price of wine. In that way, a portion of the burden would have been placed on the upper classes, and not merely on the lowest and most miserable portion of the population. The question was too large to go into then; but he hoped this Session would not close before a combined effort was made by the Scotch and Irish Members, aided by some English Members who seemed to understand the subject, to obtain a full inquiry into the question of alcoholic taxation. Since 1853 the duties on spirits had been gradually raised, as it was found the people would drink stimulants although they sold their clothes to procure the means. These duties had been successively 2*s.* 3*d.*, 3*s.* 4*d.*, 4*s.* 6*d.*, 8*s.*, and now they had reached 10*s.* The result was that they had wrung out of the pockets of the Irish people £4,000,000 per annum of extra taxation of various kinds during the last 25 years, while they refused to lay any additional tax on the beverage of the Englishman. The only remedy was to tax alcohol wherever it was found, in wine according to its strength, in spirits according to the amount of proof spirit, and beer should be treated in the same manner, so that no one should be placed in a worse position because he happened to live in a part of the country where he could not get beer.

Mr. CHAMBERLAIN said, he could not share the objections which had been taken by the two hon. Members who had preceded him as to the propositions of the Chancellor of the Exchequer. As the right hon. Gentleman had imposed four-fifths of the additional taxation upon the richer classes by means of the Income Tax, it was not unfair that a portion of the remaining fifth should fall upon the poorer classes; and, moreover, it was desirable that all classes of the community should be made to feel a lively interest in the Expenditure of the country. He rose for the purpose of making a practical suggestion. The Chancellor of the Exchequer appeared to be very much alarmed at the local indebtedness of this country, and he objected very much to the claims which the local authorities were making upon the Exchequer to receive money at low rates for public purposes. The objection of the right hon. Gentleman appeared to be based on two grounds—first, that the total local indebtedness was rapidly becoming excessive in the country, and should, if possible, be kept within more moderate dimensions; and, secondly, that there was some fear lest the Public Exchequer should ultimately suffer loss in consequence of the loans granted from it. He (Mr. Chamberlain) would say with respect to the latter of these two objections, that at present, at all events, there could be no possible reason for even a fear; because he believed it was the fact that no local body was at present indebted to more than twice the amount of its actual rates, or, in other words, to more than one-tenth of the total value of the property which remained as security for the money so lent. As long as they had a security which was worth 10 times the amount lent, there really need not be the slightest fear that the Public Exchequer would suffer. As to the rapidly-increasing total amount of local indebtedness, he did not think that was so alarming as the figures at first sight would lead one to suppose. It must be borne in mind that recently very great progress had been made by local authorities in obtaining possession of various public works—such as gas works and water works—which must be treated as investments, and not as loans for ordinary expenditure. With regard to the remainder, the Chancellor of the Exchequer would see that a great part of that expenditure was absolutely necessary, and was imposed upon local authorities by Act of Parliament. The right hon. Gentleman had referred to the expenditure for providing schools and for many sanitary undertakings. Nothing that the House could do would enable local authorities to dispense with such responsibilities, and the only result of making it more difficult to obtain money from the Public Exchequer would be that the local ratepayers would have to pay a larger interest, and it was impossible to see that anybody would be benefited thereby. So far as the security was absolute, it was clear that no loss could be incurred by affording the accommodation sought by local authorities. There was, however, a certain portion of that expenditure which might be said to be permissive, such as that to which the right hon. Gentleman had referred, and which was very large in the town he represented — the expenditure under the Astizans' Dwellings Act. At present, the municipality was a debtor to the extent of £1,000,000 to the Public Works Loan Commissioners, and this debt would be further increased by £500,000 before their contemplated improvements were completed. The Public Works Loan Commissioners possessed not merely the security of the Birmingham rates, but the security of the freehold property the local authority had purchased, which was now worth the sum paid for it, and in 20 years hence would be worth twice as much; although, in the course of that period, a large portion of the loan would have been repaid. Unless the Birmingham municipality had had the advantage of the credit of the Public Exchequer, that scheme could never have been carried out. The difference between the rate at which they borrowed the money lent by the Public Works Loan Commissioners and the rate at which it could have been obtained through other channels, amounted to an annual charge of something like £5,000 per annum. The people of Birmingham had voluntarily taxed themselves to the extent of £15,000 per annum to defray the cost of improvements under the Artizans Dwellings Act; but they could not have afforded to have incurred an extra charge of £5,000 per annum. Therefore, if the Birmingham municipality could not have borrowed from the Public Exchequer, the only result would have been that the work would not have been done. The House must bear in mind that it had, by an almost unanimous Vote, approved of that legislation, and had afforded by its discussions, and by the determination to which it had arrived, a stimulus to local authorities to engage in such work and to carry it out with energy and success. Now, he came to the practical suggestion. It was, of course, desirable that local authorities should apply to the Exchequer as seldom as possible. Small local authorities must constantly come to the Public Exchequer; but in the case of such towns as Birmingham, Manchester, and Liverpool, their credit was so good that, if the Government gave them a little assistance, they could go into the markets themselves for loans, and not be beholden to the Government. If the local authorities consolidated all their loans into one loan, that in itself would be a great step in advance. Take, for example, the case of Birmingham. They had loans raised upon separate rates—upon the improvement rate, upon the borough rate, and upon other rates, each of them being really based upon the same security at the bottom, although the incidence of the taxation was in some cases slightly various. There would, in his opinion, be no practical difficulty in bringing in a general Act to place these loans upon the general security of the property of the town, and so enable the local authorities to consolidate them into one another. If the Government would bring in a Bill to enable trustees to invest in municipal loans, then towns such as Birmingham would at once bring out a loan on the London market, and would never again trouble the Chancellor of the Exchequer for financial aid.

Mr. O'CONNOR POWER said, if he voted against the increase of the tobacco duty, he should not do so because he regarded it in the light of an Irish national grievance, but simply on popular grounds, believing, as he did, that it would be most oppressive on the poorest class of the population. The objections they were entitled to raise to the spirit duties were of a different character, inasmuch as the incidence of that tax fell with disproportionate weight upon Scotland and Ireland—for in these countries whiskey was the national beverage. The increased tobacco duty would press more heavily upon the people of Ireland than upon the people of the sister countries, from the circumstance that the poorest class in Ireland was poorer than the poorest class in England and Scotland. He did not approve of the suggestion that the spirit duties should be increased. It was all very well for those who took the other side of the question to say that the Englishman paid as much upon his whiskey as the Scotchman or Irishman. It must be recollected that there might be a national injustice where there was no individual injustice. That tax was deliberately imposed with the full knowledge of how it would bear on Scotland and Ireland, and it was on that ground that the justice of the objection made by hon. Members from Ireland rested. However, the case as regarded the tax on tobacco was entirely different, all three Kingdoms being equally affected.

Mr. W. M. TORRENS said, he was one of those who, some years ago, urged upon the Treasury the expediency of granting loans to localities on easy terms. On the whole, he believed, much good had been done in this way. The danger alluded to by the Chancellor of the Exchequer was not a consequence of the system itself, but arose from loans having been granted too lavishly by this and former Governments. Now, the tendency of the right hon. Gentleman's Statement, he believed, would be that the Treasury would think it proper and patriotic to suspend or limit all loans, however beneficial they might be, and they would act unfairly. Places like Birmingham, which had had the advantage of Government money, would be at their ease; while struggling localities, to which it was manifestly the duty of the Treasury to lend a willing ear, would be left in the lurch. The true remedy for the undue pressure on the Treasury, arising from too lavish and lenient an expenditure, was not suddenly to deny the needy places the advances they required, but to put a fair price upon the Government money, and give it wherever it was wanted—on proper security, of course. What Mr. Carlyle called—"Strength to the strong, and devil take the hindmost," was not, in his opinion, the best policy for the Government to pursue. The obviously juster and wider course would be to put such a minimum price on Government Loans as would yield, in every case, a moderate profit, and tend to make the Imperial Treasury, acting on known and recognized rules, a bank for local improvements throughout all parts of the country.

Mr. FRENCH thought the tobacco duty would operate unfairly as between vendor and consumer. In Ireland, the tobacco consumed by the poorer classes was sold at 3*d.* an ounce, and the proposal of the Chancellor of the Exchequer was to put ¼*d.* per ounce on the price of it. Now, the farthing was not a coin that was in general circulation, and the result of the right hon. Gentleman's proposal would practically be that an additional ½*d.*, instead of ¼*d.*, would be charged to the consumer.

Resolution *agreed to.*

(2.) Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, the following Duties of Customs shall be charged on and after the 5th day of April 1878, on Tobacco imported into the United Kingdom, in lieu of the Duties now payable thereon (that is to say):—

Tobacco Manufactured, viz.:—

		£	s.	d.
Segars	the lb.	0	5	4
Cavendish or Negrohead	the lb.	0	4	10
Snuff containing more than 13lbs. of moisture in every 100lbs. weight thereof . .	the lb.	0	4	1
Snuff not containing more than 13lbs. of moisture in every 100lbs. weight thereof	the lb.	0	4	10
Being Cavendish or Negrohead Manufactured in Bond	the lb.	0	4	4
Other Manufactured Tobacco	the lb.	0	4	4
Tobacco Unmanufactured, viz.:—				
Containing 10lbs. or more of moisture in every 100lbs. weight thereof . .	the lb.	0	3	6
Containing less than 10lbs. of moisture in every 100lbs. weight thereof . .	the lb.	0	3	10."

—(*Mr. Chancellor of the Exchequer.*)

Major NOLAN inquired in what form he could put the Question that the tobacco duties remain unaltered?

The CHAIRMAN said, the second and third of the Resolutions that had been put into his hands related to the tobacco duties, and that the hon. and gallant Member might effect his object either by saying "No" to the second Resolution, or by moving to amend the clause or Schedule of the Bill to be founded upon it subsequently.

Major NOLAN thought it would be simpler to move a Resolution in terms similar to those of the Resolution relating to tea.

Mr. MITCHELL HENRY suggested to the hon. and gallant Member that he should divide against the second Resolution as it stood.

Mr. W. H. SMITH pointed out that the duty on tobacco was not an annual duty, and that the effect of the Resolution being lost would simply be to leave the duty as it was. The hon. and gallant Member, therefore, would effect his object by saying "No" to the Resolution when it was put from the Chair.

Major NOLAN said, his reason for making the inquiry was that he did not wish to place himself in the absurd position of appearing to object to all duty on tobacco. He only objected to the increase.

Mr. PARNELL asked whether the increase on all classes of manufactured or unmanufactured tobacco was the same —namely, 4*d.* per lb.?

Mr. W. H. SMITH replied, that the increase in the duty was the same on every description of tobacco.

Question put.

The Committee *divided:*—Ayes 204; Noes 24: Majority 180.—(Div. List, No. 96.)

(3.) *Resolved,* That, in lieu of the Drawback now payable on Tobacco, there shall be allowed on and after the 5th day of June 1878, a Drawback on the exportation, or deposit in a bonded warehouse to be used as ship's stores, of Tobacco, of Three Shillings and Seven Pence per pound, subject to the provisions of "The Manufactured

Tobacco Act, 1863," (26 Vic. c. 7) for ascertaining the amount of Drawback payable, and under such regulations as the Commissioners of Customs may see fit to adopt.

(4.) Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the 6th day of April, one thousand eight hundred and seventy-eight, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):

For every Twenty Shillings of the annual value or amount of Property, Profits, and Gains chargeable under Schedules (A) (C) (D) or (E) of the said Act, the Duty of Five Pence;

And For every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,—

In England, the Duty of Two Pence Halfpenny;

In Scotland and Ireland respectively, the Duty of One Penny Three Farthings;

Subject to the provisions contained in section one hundred and sixty-three of the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, for the exemption of persons whose income is less than One Hundred and Fifty Pounds, and in section eight of 'The Customs and Inland Revenue Act, 1876,' for the relief of persons whose income is less than Four Hundred Pounds."

Mr. CHILDERS wished to ask the Chancellor of the Exchequer to state to the Committee, whether this was purely a formal Vote, leaving the Question entirely open to discussion afterwards?

The CHANCELLOR of the EXCHEQUER said, it certainly would not preclude future discussion. The reason for adopting the Motion at that time was purely one of convenience, with regard to the payment of dividends.

Mr. CHILDERS asked, whether the dividends payable to-morrow would be subject to the increased rate of the Income Tax?

The CHANCELLOR of the EXCHEQUER answered in the negative.

Mr. THOMSON HANKEY inquired, whether the effect of the Committee now agreeing to the Motion would be, in any degree, to preclude the making of a proposal that the Income Tax Act should contain some provision for continuing the tax, subject to any future alteration which might be determined by Parliament for a certain number of days beyond a twelvemonth? The question had frequently been raised by the hon. Member for Maidstone (Sir John Lubbock) and discussed in the House. For his own part, he did not wish to enter into a discussion at present; but desired only to know whether it would be competent to raise the question when the proposal for containing the Income Tax Act came under the notice of the House?

The CHANCELLOR of the EXCHEQUER said, the Resolution would not, in any way, compromise the action of the House in the matter.

Resolution *agreed to.*

Motion made, and Question proposed,

"That, on and after the first day of June, one thousand eight hundred and seventy-eight, in lieu of the Annual Duty of Five Shillings imposed by the Act of the thirtieth and thirty-first years of Her Majesty's reign, chapter five, there shall be granted and charged the Annual Duty of Seven Shillings and Sixpence for and in respect of every Dog of the age of Two Months or upwards, for which a Licence to keep the same shall be taken out under the said Act, such Licence terminating on the thirty-first day of December following the day on which it is granted."

Mr. CHILDERS, without wishing to express any opinion as to whether the change proposed was a bad or a good one, asked the Chancellor of the Exchequer, whether such a Motion ought to pass on the night of the Budget being proposed, seeing that the increase of the tax was not to take effect until the 1st of June?

The CHANCELLOR of the EXCHEQUER at once consented to the withdrawal of the Motion.

Motion, by leave, *withdrawn.*

(5.) *Resolved,* That it is expedient to amend the Laws relating to the Customs and the Inland Revenue.

Resolutions to be reported *To-morrow;*
Committee to sit again *To-morrow.*

PUBLIC WORKS LOANS BILL.

(*Mr. Raikes, Sir Henry Selwin-Ibbetson, Mr. Sclater-Booth.*)

[BILL 138.] SECOND READING.

Order for Second Reading read.

Mr. SCLATER-BOOTH, in moving that the Bill be now read a second time, said: I am sorry at this late hour to detain the House on what I fear will be a dry and uninviting subject. At the same time, it is one which is, this year, more than usually connected with the Budget which we have just been discussing; and it is, I think, convenient that the attention of Parliament should be drawn, as early as possible, to the question of local as well as Imperial finance. The Resolution, upon which the Bill is founded, was passed at so late an hour that it was impossible for me to make a complete statement in detail upon the subject.

MR. MONK rose to Order, and inquired, whether it was not a matter of necessity that the Bill should be in the hands of hon. Members before the second reading was moved? He asked the Question because the Bill had not been delivered.

MR. SPEAKER: No doubt it would be more convenient if hon. Members had the Bill in their hands; but I am not prepared to say that the right hon. Gentleman is out of Order in moving the second reading.

MR. SCLATER-BOOTH: I think the hon. Gentleman will find that he has been no loser by not having seen the Bill, because there are other stages at which its provisions can be discussed, and the discussion can be more conveniently taken in Committee. At the same time, I may say that the Bill has been in the Vote Office during this afternoon, where it can be had by hon. Members. I now desire, in the first place, to explain the provisions of the Bill, and to state the reasons which the Government have for asking for the particular sum of money which is required. I will afterwards, with the indulgence of the House, and in accordance with the practice of the last two Sessions, endeavour to place before it, as shortly as I can, what is the condition of indebtedness of the local authorities of this country at the present time, and also what has been the amount of charge, under several heads, upon the ratepayers during the past 12 months. I find, from the Report of the Public Works Loans Commissioners, which was issued last summer, that, by the Act of Parliament under which they were then operating, there was placed at the disposal of the Commissioners the sum of £4,000,000, to be advanced to local authorities within the financial year ending June, 1877. It appears, also, that of that sum, £2,426,000 was advanced, and, in addition, a balance in hand, unexpended under previous loans, of £802,725. Therefore, during the year to which I have alluded, there was advanced by the Public Works Loan Commissioners to local authorities the total sum of £3,249,602. The Act of 1877 authorized that a grant should be made of £4,000,000 to the Commissioners for making advances to local authorities during the year beginning April 1, 1877, and concluding June 30, 1878. This sum of £4,000,000 is now practically expended three months short of the time for which it was granted. Although, as I stated last year in introducing this Bill, £4,000,000 was to be granted, £10,000,000 had been asked for by various local authorities having a right to ask for public money. It was anticipated that only four-fifths of the money would be taken, and, accordingly, it was estimated that £4,000,000 could be relied upon as representing the real sum which would be actually called for within the year. That Estimate, so far, has proved to be correct, as £4,000,000 has been found to be practically sufficient. It is now proposed by this Bill to authorize a grant to the Commissioners from the Exchequer, of £6,000,000 for England, and £800,000 for Ireland, for the service of the current year. The sums of money asked for by the local authorities on the 31st of December last were double that amount—not less than £12,000,000. At the same time, acting upon the experience of last year, but assuming that a larger proportion than four-fifths will be required, it is estimated that one-half, or £6,000,000, will be issued. As stated by the Chancellor of the Exchequer, in his Budget speech, the cases in which the Public Works Loan Commissioners are required to advance money at exceptionally low rates of interest are—(1), to urban and rural sanitary authorities under the Public Health Act; (2), to urban authorities or town councils, with a population exceeding 25,000 inhabitants, under the Artizans and Labourers Dwellings Act; (3), school boards, under the Education Act; and (4), harbour authorities. The interest is to be charged at the rate of 3½ per cent in most of these cases, except as far as it may be necessary to secure the country against loss. The rules laid down by the Public Works Loan Commissioners, under their exceptional or saving provisions, divide the loans to be advanced into three categories—namely—(1), those advanced for a period not exceeding 30 years, are charged at 3½ per cent; those advanced for 40 years, at 3¾ per cent; those advanced for between 40 and 50 years, at the rate of 4 per cent. There is, I understand, very little use made of loans coming under the second category; but it seems that a considerable sum of money—not less, I think, than £200,000—was advanced in the year 1876-7, at the rate of 4 per cent. I have stated that the applications for money have amounted this year to not less than £12,000,000; but we have, apart from previous experience, reason to believe that £6,000,000 will be really required, because we know that, under the Public Health Act, the sum of £3,093,000 has been sanctioned; under the Artizans and Labourers Dwellings Act, £1,100,000; under the Education Act, £1,673,400—making a total sum of £5,866,400. The sum, also, of £800,000, has been inserted for Ireland, as the amount of money required to be advanced by the Board of Works in Ireland. It will be readily seen, by what has already been stated by the Chancellor of the Exchequer, how very important it is that other sources should be found, if possible, for obtaining these advances of money than the Imperial Exchequer. My right hon. Friend the Chancellor of the Exchequer has already alluded to the provisions of the Local Loans Act of 1875, as having facilitated the loaning powers of local authorities. That Act provides for the issue of various kinds of securities, which are divided into four classes. First of all, there may be nominal debentures; secondly, debentures payable to bearer; thirdly, Terminable Annuities, the principal and interest to be discharged by annual instalments; and, fourthly, in certain cases there may be the issue of Debenture Stock. Official sanction may be given to the issue of these securities by the Local Government Board, in which case the securities cannot be disputed; and, in certain instances, trustees are permitted to invest. Now, this Act is being brought into operation with insufficient effect, considering the facilities which it was intended to give. In the first year after the passing of the Act, the amount raised under it was not more than £3,000; but during last year it rose to £200,000; and the whole of this money was raised at 4 per cent, or within a fraction of 4 per cent. Now, a sum of not less than £200,000, being for the extended period above mentioned, was advanced under the Sanitary Acts by the Public Works Loan Commissioners, at the rate of 4 per cent. Therefore, it seems a toss-up, as it were, whether, so far as amount of interest is concerned, local authorities had gone to the open market or the Public Works Loan Commissioners in respect of these particular advances; and I cannot help hoping that, as time goes on, recourse will be had more freely to the open market. Further, I find that, amongst the applications which will be made during the coming year, there is one item of £215,000 for Burial Boards. This amount will be advanced in the ordinary way by the Commissioners, at not less than 5 per cent, to those authorities. But it is open to them to proceed, under the Local Loans Act, and to avail themselves of the advantages offered by its provisions; and, so far as that is done, it will be, I hope, in diminution of the call upon the Public Exchequer, and of the charge upon the ratepayers in respect of public cemeteries. I do not wish to weary the House by describing the various advantages which might be derived from a more free and general adoption of the provisions of the Local Loans Act; but I may say that I have caused a Memorandum to be prepared in the Department over which I have control which will, no doubt, be found useful to hon. Members who may choose to apply for it, as it will give, in a compendious form, all particulars necessary to be known by the public authorities who have power to borrow under the Act. As a matter of importance bearing upon a clause in this Bill, I may state that, under the original Public Works Loans Act of 1875, the Local Government Board were required to satisfy themselves that the money asked for was applied to the purposes for which it was intended. That power has been freely exercised, and in several cases it has been ascertained that some misapplication has occurred chiefly by the payment of interest out of the capital sum advanced. But, in case of any such mistakes or shortcomings, there is no power given by the Act to the Local Government Board to secure the replacement of the money misapplied. It is now proposed by clauses in this Bill that power shall be given to require the replacement of the money so misapplied. There are two other clauses in the Bill to which, perhaps, I ought to allude; because, as has been observed by hon. Members, the Bill has not long been in their hands. One is a clause empowering the Treasury to compound a debt due from the Epping rural sanitary authority; the other gives power to cancel arrears of a loan due in respect of Wigan church. With regard to the latter case, a decision was given in the House of Lords two years ago, declaring that, in consequence of the lapse of time and change of circumstances, the church-wardens and church rates of the parish were no longer liable to repay the remainder of the loan and interest. It would take me a long time to go through the particulars of those cases; but they are fully set out in the clauses of the Bill. The Epping case is a most unfortunate one. It has been progressing for some years, and the end of it has been that, subject to the approval of the Treasury, the Public Works Loan Commissioners have compromised the debt due to them for the sum of £5,000. It cannot be denied that great care is required in sanctioning advances, whether through the medium of Provisional Orders, as practised in the Public Departments, or through the agency of private Acts; because it has been found that, after power has been given to raise certain sums of money for the execution of particular works, they are shortly found to be insufficient, and further application for additional capital is made. I will give an illustration of what has occurred in my own recent experience. By a private Act, passed two years ago, a sum of £30,000 or £35,000 was taken with a view of providing a certain district in Lancashire with water. The water was, undoubtedly, needed; plans were prepared, and Committees of both Houses of Parliament were satisfied as to the propriety of the expenditure. Only two years have elapsed, and not only has the £35,000 been spent, but a debt of £30,000 more has been incurred by the local authority; and it is estimated that it will take an additional £40,000 before the water so urgently needed can be provided. I mention that case to show how important it is that Gentlemen, serving on Committees upon Private Bills as well as the Public Departments, should be extremely careful in investigating the grounds of the estimates when they are asked to sanction the measures proposed. I need say no more of this Bill, except that it will have the effect of placing the Public Works Loan Commissioners in possession of funds, by which they will certainly be able to carry on their operations for another 12 months, probably until the summer of 1879. The hon. Member for Birmingham (Mr. Chamberlain) need be under no apprehension that the Government desire to place any check upon the issue of these funds, subject to the regulations provided in such cases. Whether the rate of interest in future should be placed, under certain circumstances, at a higher figure than has been paid in the past may be a question; but, at present, I see no reason to anticipate any change in that respect, as the local authorities have a right, under the Sanitary and other Acts, to borrow money at 3½ per cent. Now, Sir, I will take advantage of this opportunity to lay before the House some account of the financial progress which has been made by the local authorities of the country during the past year. I shall not weary the House with so many details as I have given on a former occasion, because I think many of the observations which I have made before will be still fresh in the minds of hon. Members. I will begin by expressing the great satisfaction which I feel at the admirable disposition which has been displayed by the local authorities to fulfil the requirements of the Act of last Session, which requires all returns to be made up to a uniform date. The estimate I made of the local debt 12 months ago was £105,500,000, or, in round numbers, £105,000,000, and the actual amount of loans outstanding at Lady Day, 1877, was £105,702,588, so that there was only a difference of £202,588; and, dividing the additional amount of loans into the three well-known categories, we find the loans charged upon rates during the year to have been £5,425,676; those charged on tolls, £556,376; and those charged on duties £45,000; making a total of £6,027,052. The average of the loans in previous years was, as nearly as possible, £7,000,000; therefore the amount last year was pretty much in accordance with the average. I do not intend to trouble the House any further in reference to the loans raised on tolls and dues; but I will confine myself to those which were charged on the rates. In 1876, the total amount of loans charged upon the rates was £70,644,174; and, in 1877, we find the amount is £76,089,850; being a net increase of £5,445,676. The chief items of increase were the Metropolis debts, which showed an increase of £630,941; urban sanitary debts, £3,033,356; and school board loans, £1,644,970. I may remark there was a decrease on county loans of £138,273; and of the total outstanding loans charged upon rates—namely, £76,089,850, the boroughs, including the Metropolis, owe no less than £60,485,000—and this is exclusive of burial and school board loans. And now as to the ability of the boroughs to bear these charges. I will mention that, as far as I can ascertain, the loans charged on the rates of the Metropolis are between £18,000,000 and £20,000,000; whereas the annual rateable value of the Metropolis is £23,000,000. Therefore, the charge is less than one year's rateable value. Excluding the Metropolis, and taking 10 of the largest and most populous boroughs in the Kingdom, I find they have a rateable value of £11,957,632; while the debt is £20,706,843, or not quite two years' rateable value; but in these debts are included the loans in respect of valuable properties in waterworks and gas. I will give the House a few details as regards particular towns. Brighton, outstanding loans, £661,056, rateable value, £543,140; Bristol, outstanding loans, £462,919, rateable value, £719,237; Birmingham, outstanding loans, £2,811,824, rateable value, £1,352,556; Liverpool, outstanding loans, £4,083,577, rateable value, £3,019,941; Salford, outstanding loans, £1,019,785, rateable value, £750,229; Manchester, outstanding loans, £4,707,678, rateable value, £2,229,187; Bradford, outstanding loans, £2,826,132; rateable value, £772,291; Leeds, outstanding loans, £3,376,804, rateable value, £1,033,133; Sheffield, outstanding loans, £244,578, rateable value, £827,205; and Newcastle-on-Tyne, outstanding loans, £502,490, rateable value, £710,613. Now, of course, these are places in which it is true that the debts do not really mean money out of pocket, and in respect to which there is no return whatever; but they include the ownership of valuable properties, such as gasworks and waterworks, which have been acquired. It may be said, putting these 10 largest boroughs aside, that the remaining municipal boroughs, with a rateable value of £32,823,841, have a debt of only £26,455,865, or about three-quarters of one year's rateable value, and in several of these cases the authorities are possessed of valuable property in gas and waterworks also. Even if we take the whole of the rateable property in England and Wales, we find that it is, in round numbers, £120,000,000; while the total debts charged on the rates are, in round numbers, £76,000,000; or a little more than three-fifths of one year's rateable value. The financial condition of the several local authorities for the year ending Lady Day, 1878, may be computed as follows:—Loans outstanding at Lady Day, 1877, £105,702,588; deduction for repayments of principal, £4,800,000; leaving a total of £100,902,588. Then we know that loans have been sanctioned by the Local Government Board, and those are as follows:—Sanitary Authorities, £3,093,806; Artizans' Dwellings, £1,100,000; Boards of Guardians, £245,500; authorized by Local Acts, £3,479,500; Education Department, £1,673,400; Metropolitan Board of Works, £1,252,000; Burial Boards, £215,200; total, £11,059,400, which, if added to the total which I have stated just now, will make £111,961,900; and, deducting the outstanding loans for 1877, there remains an increase of £6,259,400. The indebtedness of the country at the present time may, therefore, be estimated at £112,000,000, which is considerably less than one year's rateable value. I was asked last year by the hon. Member for Liverpool (Mr. Rathbone), to distinguish the increase of debt between the urban and the rural sanitary districts. Now, the loans sanctioned during the year ended Lady Day, 1878, are as follows:—To urban sanitary authorities, £3,979,446;

to rural sanitary authorities, £214,360; and, including the amount sanctioned by the Local Government Board under local Acts, the whole estimated increase of debt is £11,000,000, of which not less than £9,500,000 is due to urban districts. As to the £3,479,500 for loans under local Acts during the last year, I may mention that a very large proportion was for remunerative undertakings, such as water and gasworks. Thus—Blackburn, water, £430,000; Leeds, gas and water, £550,000; Longton, gas, £100,000; Newcastle-on-Tyne, tramways, quays, &c., £300,000; Ramsgate, water and gas, £171,000; and Warrington, gas, £200,000. These are the results of Acts of Parliament passed during last Session, and no doubt there will be other Acts of Parliament of a similar character passed in future Sessions. I think it may be interesting to the House to know what has been the operation of the Artizans Dwellings Act so far as it has gone. I find that for the year ending Lady Day, 1878, the loans under it were—Birmingham, £1,000,000; Liverpool, £50,000; Swansea, £25,000; and Wolverhampton, £25,000; making a total of £1,100,000. There are other applications which are under consideration, and there is no desire but to meet these applications in the spirit in which they are made; and, after what I have stated, I think the House has no reason to be dissatisfied with the readiness which the authorities have shown in our great towns to avail themselves of the provisions of the Act. I now come to the rates levied for the year 1876-7, and these amounted to £23,617,511, being a net increase, over the preceding year, of £917,852. The principal items of that increase are as follows:—Highways, £23,402; Metropolis Management, £92,714; Urban Sanitary, £263,759; School Board, £443,145; and Boroughs, including the Police, £131,492; making a total of £954,512. The increase in the highway rates is attributable to the disturnpiked roads; and of the urban sanitary rates, in a great measure, to new rates, such as gas and water rates, brought into the account. I cannot say much as to the prospect of a diminution under several of these heads in many of our large towns in which the population is rapidly increasing, and where they are still in a backward condition as to gas and water supplies. With respect to the educational rate, I think the case is somewhat different. The Act has been put in rapid operation, especially in London, and large sums of money have been raised in a short time, and the country is now being fully supplied with school accommodation, so that we may hope the time will soon arrive when we shall see a diminution of that amount. I need hardly say more in further illustration of what I have said of the real power of the local rates of the country to bear this increased charge, than to mention that the rateable value of the country in 1873 was only £109,200,000; in 1874, £111,770,000; in 1875, £115,703,000; in 1876, £119,000,000; and last year, £124,546,000. So that, while the indebtedness has largely increased, there has been a rapid increase in the annual rateable value of the property of the Kingdom. One of the causes of the large increase in the rateable value of the country is that during the last year, under the provisions of the Rating Act, 1874, applicable to game, woods, and mines, new property to the amount of £1,500,000 has been brought into rating. I apologize for having brought these figures before the House; but I think it was necessary that I should make them public; and my right hon. Friend the Chancellor of the Exchequer has been of opinion that, whether agreeable or not, they should be brought under the notice of Parliament, because a great deal of alarm has arisen from hon. Gentlemen not knowing really what these loans are. This Bill has more than a local interest, because it deals with questions specially demanding the attention of Parliament. Last year I illustrated, by a comparison between rates and taxes, the indifference which this House has sometimes shown to the imposition of new burdens, when taking the form of rates rather than taxes; but that is only another way of expressing the truth, that the House has no fear of new burdens being added except those which are added with its knowledge and consent. Still, great changes in local taxation have been made without the real knowledge of Parliament, and I wish that Committees on Private Bills were more uniformly guided by fixed principles as to the terms and security for the expenditure and appropriation of money. I now beg to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Sclater-Booth.*)

Mr. DILLWYN thought it was scarcely in Order for his right hon. Friend to have brought forward this Bill on the present occasion, inasmuch as it had not been distributed; and it was a measure of such magnitude that they ought to have its provisions before them. He did not propose now to discuss whether the Bill was a good or a bad one; he objected to their proceeding with the second reading on the ground that important Bills ought to be distributed before they were allowed to pass that stage. It was a pernicious principle to take the second reading as a matter of course. He therefore moved the adjournment of the debate, and hoped that the Government would accede to it.

Mr. MONK seconded the Motion. The statement they had just heard was most interesting, and contained much valuable information; but it was very desirable that information, based upon a complication of figures, in order to be understood, should be seen in print, especially when there were so many figures to be considered. He was somewhat astonished that after the previous ruling from the Chair the right hon. Gentleman should have taken the exceptional course he had. Although the Bill had not yet been delivered to Members, he had been able to obtain a copy from the Vote Office. It was a most important measure, for it enabled the Public Health Commissioners to advance no less a sum than £6,800,000, and it affected the position of debts already owing by sanitary authorities in England. Under these circumstances, and until the Bill was in the hands of Members, he hoped the second reading would not be pressed.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Dillwyn.*)

Mr. GOLDNEY observed, that the Bill was the most important measure that had been before the House for some time. About one-sixth of the National Debt had been already advanced to boroughs, on some of which the sums lent amounted to one-tenth of the whole value of the rateable property. Many applications for loans, it was stated, had to be refused; and some localities being unable to pay, had had to ask the Imperial Government to meet their obligations. A very important clause in the Bill repealed the existing provision giving the Government a preference charge on the rates in respect of these advances. Another question arose on the mode of lending now adopted by the Government. If loans were made for periods less than 40 years, 3½ per cent was charged. But if 50 years were given for the repayment, 4 per cent was the rate of interest paid. There was thus a direct inducement on localities to lighten their burdens by laying on posterity the task of repaying a portion of these debts. It was an unjust system, for posterity would have its requirements as well as the present generation. The matter required very serious attention, and he hoped, if the Bill were passed, it would be referred to a Select Committee. A general Report ought to be made of the incubus laid by law upon property, and some method devised of controlling the expenditure of independent local authorities. If the present system were allowed to continue, the time would come when local taxation would become so burdensome, that a portion, at all events, of the debts would have to be remitted by the Imperial Government.

Mr. SCLATER-BOOTH said, it was very desirable, and almost necessary, that the Bill should pass into law before the Easter Recess, and money must be provided to meet the obligations of the Government. It would be a great convenience to take the second reading then, and to discuss the clauses in Committee.

Sir CHARLES W. DILKE said, that the House ought not to allow any Bill to be read a second time until it had been delivered to Members. That was the only intelligible rule, and the departure from it would lead to discussions like the present, whether the Bill were thought of sufficient importance to be distributed or not.

MR. SCLATER-BOOTH said, the rule to which the hon. Baronet had referred was a good one, and he should be sorry to depart from it. At the same time, he must ask the House to remember the necessity which existed to pass the Bill before the adjournment for the Holidays. Considering the objection now raised to the second reading a valid one, the Government would not press the Bill.

MR. KNIGHT said, the Public Works Loans Act was the least objectionable way of borrowing money for local works of England, because it necessitated the Public Works Commissioners seeing that the money was spent for the purposes for which it was borrowed. A great deal of the money borrowed by local authorities was under the Local Loans Act, 1875. Under that Act, the large sums thrown on the county rates by the new County Government Bill would also be borrowed. That Act did not compel the Local Government Board to see how the money was spent; all they had to do was to see that the property upon which it was lent was sufficient. A long statement had been made as to the £112,000,000 now borrowed on local securities in different parts of the Kingdom. Much of the money borrowed had been wasted—millions had been spent in pouring the filth of the towns into the rivers—millions had now to be spent in getting it out again. He would add to that the fact that in some cases the rates already pressed with an almost crushing weight on the taxpayers. In Reading, the taxes were now 10*s.* 6*d.* in the pound; and the town required to borrow far more money to complete its sanitary works. Half the rental of the town was already swallowed up in such rates, and yet the debt was increasing. The remedy proposed was to take in portions of the surrounding country. It was an ordinary way out of the difficulty; and, on the part of the country, he objected to it. The amount spent by the local authorities in engineering experiments would soon rival the National Debt. The Public Works Loans Act was not so objectionable as the Local Loans Act, because it appointed Commissioners to see that the money borrowed was properly applied.

Motion *agreed to.*

Debate *adjourned* till *To-morrow.*

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL—[BILL 44.]

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

COMMITTEE. [*Progress, 1st April.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Extension of Acts prohibiting Sale of Intoxicating Liquors to the whole of Sunday).

Amendment again proposed,

At end of Clause, to add the words "in all places except the following (that is to say): within the Metropolitan Police District of Dublin Metropolis, and within the cities of Cork, Limerick, and Waterford, and the town of Belfast, and within the said police district, and within the said cities and town, the said hours or times are hereby extended, and shall be as follows, that is to say, up to the hour of two o'clock in the afternoon, and after the hour of seven o'clock in the evening on Sunday."—(*Mr. Attorney General for Ireland.*)

Question proposed, "That those words be there added."

SIR JOSEPH M'KENNA opposed the Amendment, because it created exemptions, and he held that all communities should be legislated for on the same principle. If this legislation were required at all, it was obviously much more requisite where there was a large population than in rural districts. The promoters of the Bill had, nevertheless, accepted the Amendment; but it destroyed the whole principle of the Bill. The Bill was a bad one in principle—the Amendment was worse. He was not prepared to run against the wishes of his Friends; but he certainly would, as far as he could, protest against the course taken. He, therefore, objected to the clause.

MR. SANDFORD expressed his surprise that the Committee should have been invited to vote upon the Amendment, when nothing had been said either by the Attorney General for Ireland or the Chief Secretary in recommendation of it. He should like to know upon what grounds it was proposed to exempt those five towns from the Bill? for it seemed to him that if the legislation were needed at all, it was more requisite in the towns than in the rural districts.

Major O'BEIRNE said, it was quite clear that the population of the towns in Ireland was not increasing, but rather diminishing; and yet the convictions for drunkenness showed that the vice was much on the increase. From his own experience, he could say that it was in the towns alone where drunkenness was prevalent, and where exceptional legislation, such as this, was needed.

Mr. J. LOWTHER observed that, even if the Amendment were adopted, he should not regard the Bill as a perfect one. It was proposed and accepted by way of compromise, and it should be remembered that in England the hours of closing were not uniform throughout the country.

Mr. GOLDSMID said, that it did not at all follow because Members in charge of the Bill were prepared to accept Amendments, by doing which they hoped to secure its passing, that other Members were also to accept them. There was no reason for putting so quiet a town as Derry under the new regulations and omitting Belfast. He was of opinion that the influence exercised by certain societies against Members of the House of Commons ought to be withstood as destructive of their freedom and independence. He had been informed that it was intended, by a certain bigoted section, at the next General Election to endeavour to make the support of legislation of this kind a test question. That dictation, he hoped, would not be submitted to.

The O'CONOR DON said, that the Amendment which was proposed did not emanate from the promoters of the Bill; but, at the same time, he thought that if the duty were thrown upon him of defending it, he could offer some stronger reasons for its acceptance than they had heard from the right hon. Gentleman the Chief Secretary. He had consented to accept this Amendment, in the first place, because the Government afforded them facilities for the passing of the Bill upon the condition that their Amendments were adopted; and, of course, the Committee would be aware that without such facilities from the Government it would be next to impossible for the Bill of a private Member to pass. In the next place, it was thought that it would not be inconsistent with the views of the supporters of the Bill to accept those Amendments, for this reason—that in some of those cities, Dublin, Cork, and other places, there was a very divided public opinion upon the subject. He had always maintained that unless they had the public opinion of the country with them in a matter of this description, an Act of the kind proposed would not be likely to succeed. They maintained that throughout the rest of Ireland public opinion was in favour of the Bill. A great number of persons, and many of the supporters of the measure, believed that the great majority of the populations, even of those cities, were in favour of the Bill; but they could not deny that there was a considerable proportion of the population in Dublin and Cork, and he believed also in Waterford and Limerick, who held a different opinion; and the promoters of the Bill were satisfied upon that ground to accept the Government Amendment, and to allow the Bill to be tried in that portion of the country where they believed the vast majority of the population were in favour of it. As the Government had taken upon themselves the responsibility of excluding those towns, they had agreed to this, preferring to have their Bill carried with these Amendments rather than to lose it for the sake of those particular towns.

Mr. O'SULLIVAN said, he was not going to make any remark upon the fact of that Bill, with 23 Amendments, being brought on at that hour of the night. He wished to ask what was the object of excluding five large towns from the operation of the Bill? It was well-known that those who lived in the towns had the opportunity of drinking every day in the week; and, certainly, if there was any inconvenience at all it was in the country, where there was very little opportunity for entering a public-house. It was a well-known fact that many persons living six or seven miles from a small town never went into town except on a Sunday, and, consequently, to a public-house; and that was the day they wanted to close them up. He thought it was rather premature of the promoters to press that Bill on as they had been doing during the last fortnight. It was only just lately that the people of Ireland had begun to believe that the Bill would really pass. Until then, they had never believed that the Government would allow such a coercion Bill to pass. He was now going to say a word as to the Petitions that had been received during the past week. He found that there had been presented to that House a total of 52 Petitions in favour of the Bill, and what were those Petitions made up of? Twenty-four were from religious houses in the North of Ireland.

The CHAIRMAN said, the question before the Committee was the Amendment of the Attorney General for Ireland relating to the exemption of those five towns from the purposes of the Bill, and it would not be in Order for the hon. Member to go into any discussion as to the general objects of the Bill.

Mr. O'SULLIVAN would submit to the Chairman's authority; but he could not see how his observations were not in Order, when he said that the Bill ought not to apply to any part of Ireland. Of course, if he confined himself simply to the Amendment of the right hon. and learned Gentleman, all he could say was that it appeared to him to be a piece of cowardice on the part of the Government, because there could be only one or two objects in excepting those towns. They said—"We will make a certain ring, and you can come and drink inside that ring, but you cannot drink outside it." It looked rather like cowardice, because they knew very well that they were able to put down the people in the country and prevent them taking any amusement or refreshment; but they could not put down the people in the towns, because they were too numerous. It was well-known, from all the Returns that had been presented to that House, that there had been far less drunkenness in the country than in the cities. Well, the Chairman had thought that he ought not to go into the question of the Petitions presented during the past week; but he could not see how that was beside the question. He thought, however, that he would not be going outside the decision of the Chairman in dealing with the number of Petitions presented against the Bill. There were 103 Petitions presented against the Bill during the past week, and 102 were all from working men and women in the three Provinces of Munster, Leinster, and Connaught, and only one from Ulster. That showed clearly that the people of Ireland were against the Bill, particularly from three Provinces. Now, a good deal had been said about the vote given by the Irish Members. It had been said that there was an overwhelming majority in favour of the Bill, and it had also been stated by the Press——

The CHAIRMAN said, he must again point out that the question before the Committee was the Amendment of the Attorney General for Ireland.

Mr. O'SULLIVAN said, that he would speak, as well as he possibly could, against the Amendment, because he thought it unfair that it should be passed. He thought it unfair that one part of the country should be excluded from the Bill and another part included in its operation; and, therefore, with regard to the clause, he thought it right to say that it was a fallacy to think that popular feeling in Ireland was in favour of the Amendment. It was probable that there would be a majority of Members in favour of the Bill, but not the overwhelming majority which the supporters of the Bill would have them believe. He found that there would be for the Amendment the same as for the main division. There were 53 in favour of it, while there were 15 against, and 35 absent. It was well to see how these 53 were made up. He found that from Ulster alone there were 21 in favour of the Amendment.

Lord FRANCIS HERVEY asked whether the hon. Member was not out of Order in quoting these figures?

The CHAIRMAN again repeated that the question before Committee was the Amendment of the Attorney General for Ireland.

Sir JOSEPH M'KENNA rose on the question of Order. He did not see that the hon. Member was really out of Order. There were five towns proposed to be exempted from the operations of the Bill, and a very large number of the Petitions to which his hon. Friend referred were from those towns; and, therefore, bore upon the question before the Committee.

The CHANCELLOR of the EXCHEQUER said, he thought they must consider the main point of Order, and when the Chairman had given his decision it ought to be accepted.

Mr. KNATCHBULL-HUGESSEN asked whether the hon. Member's observations would be in Order, supposing his Motion were one to report Progress?

The CHAIRMAN said, the question before the Committee was limited to the exception of those particular towns, and he must point out to the hon. Member that in speaking to the Amendment he would only be in Order in speaking to circumstances relating to the exception. The right hon. Gentleman was, no doubt, aware that a Motion of the description to which he had referred gave a wider scope for argument; but, at the same time, he must point out that it was not a usual course to adopt. It would be difficult to conduct the proceedings of the Committee if, when an hon. Member had been ruled to be out of Order for speaking in a particular way, he should resort to the course proposed by the right hon. Gentleman.

Mr. O'SULLIVAN said, that he felt it very difficult to meet the Amendment fully without going into the merits of the Bill, and therefore he begged to move that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Sullivan.*)

Mr. ONSLOW said, he should be sorry to offer any remarks at that moment which would obstruct the passing of the Bill; but when he considered its importance, and when he knew that the Amendment struck at the main root of the Bill, he could not but think that to bring in a discussion at that hour of the night was very undesirable. It was a very important Amendment, and though he had not been very long in the House, yet he knew that an Amendment touching the vitality of a Bill had been brought forward at such an hour of the morning. Now, as they were on the question of reporting Progress, perhaps he should not be out of Order in bringing to the notice of the Committee a communication which had been sent out to the supporters of the Bill, asking them to be present on that occasion. The Notice ran in the following form—

> "Irish Sunday Closing Bill.—Dear Sir, it has been decided to proceed with the above Bill on Thursday night, at whatever hour it may be reached, and your attendance and support in Committee are requested."

The Notice was signed in the names of the O'Conor Don, Mr. R. Smyth, Mr. Corry, Mr. Dease, and Mr. C. E. Lewis. He was one of those who did not care one moment for Notices sent to hon. Members. He had, in a small way, endeavoured to throw out the Bill, and he should still continue to do so. But not only did he wish to draw the attention of the Committee to the Memorandum which had been sent out to hon. Members, but he thought, also, that he should not be out of Order if he were to read a paragraph in a letter which had appeared in a leading Radical journal that day—he meant *The Times.* It was signed "M.P.," and he supposed that meant Member of Parliament; but if it had been written by any Member of Parliament when that important discussion was going on, he considered it to be somewhat in the way of holding out to them a threat of a character which he did not at all like. The paragraph referred to proceedings which had taken place on the preceding Tuesday morning, and it said, talking about the men who were opposing the Bill—

> "If those 20 Conservative noblemen who voted in the minority—"

he was one of those who voted in the minority and he was a Conservative; but he did not happen to be a nobleman—

> "knew the great force they have given to the Home Rule Movement by their extravagant conduct on Monday last, they would, on this account, as well as on the ground of Parliamentary decency and dignity, look back upon the part they took with anything but comfort or pride."

He could not say that he looked back to that Tuesday morning with any comfort. But if he could be a humble means in aiding to throw out that Bill, he thought he should have cause to look back upon that Tuesday morning with pride. He thought that when a measure of that kind was under discussion they, as Representatives of the people, should have the opportunity of expressing their opinions upon a particular measure before the House without gentlemen, whoever they might be, writing in that way, and holding out threats to them upon their conduct.

The CHANCELLOR of the EXCHEQUER said, there could be no doubt that that Bill was one of very considerable importance in itself, and that, therefore, the discussion in which they were engaged was one of importance. But he ventured to point out to the

Committee that there was something even of more importance than the merits of that particular Bill, and that was the manner in which the House of Commons was to carry on its Business. Now, they had claimed, and for a very long time they had thought they deserved, the reputation of being a very business-like Assembly; and with free rules, and with very little restraint upon the liberty of individual Members, they had been able to carry on, in a more or less business-like way, the affairs of the country. But of late, as hon. Members were perfectly well aware, difficulties had arisen, and great complaints had from time to time been made on account of the novel mode of resistance, and the extent to which that mode of resistance had been carried by minorities against the express wish of the majority. He was one of those who was always desirous to stand up for the rights of minorities, if possible; but, at the same time, there were limits, as everybody would acknowledge, beyond which those rights should not be carried. He thought that in the case of that Bill there was a very natural desire that it should be fairly discussed; there was a very natural desire amongst those who opposed it, and especially among those Irish Members who opposed it, when they found themselves in the minority in that House that they should have full and fair opportunities for stating their objections, for discussing them freely, and referring to proceedings that had taken place on a former occasion. He was not disposed to speak with anything like severity of the course that was taken, when the Bill last went into Committee, on the Motion that the Chairman leave the Chair, and the merits of the Bill being discussed over again when the Bill had got into Committee. It was, perhaps, an unusal, but still not a very unfair, course to take on a Bill of such importance; but that course having been taken, and the opinion of the Committee having been fully expressed, and the Committee having apparently determined to go on with the Bill and consider it in its details and Amendments, he thought it was but fair that those Amendments should be considered, discussed, and decided upon. They did not think it was reasonable that the House should be asked to sit during extravagantly late hours; but, on the other hand, it was impossible that they could have a free evening for everything; and he thought that after the discussions which had taken place the other day, it was time for them to settle whether the Amendment should or should not be adopted, and then Progress might fairly have been allowed to be reported, and the Bill taken up again on a later date. The discussion seemed to have been fairly opened upon the point raised by the Attorney General for Ireland. It was a very important point, because upon it the Government were to decide whether they would give a certain amount of support to the Bill or not; and he thought the Committee were ready and ripe for discussion upon that point. Well, the hon. Member for the county of Limerick (Mr. O'Sullivan), who took a strong opinion upon the Bill, and who, he must say, had argued with very great fairness and in a manner that commanded the interest of the House, was proceeding to argue against the Amendment upon grounds which he was perfectly competent to take. He had somewhat exceeded the bounds of argument which he was entitled to use, and was called to Order accordingly. He understood that the hon. Member was perfectly prepared to submit to the ruling of the Chairman, as it was necessary he should be, if they were to preserve any Order at all; and he did not think that anybody could complain of the hon. Member. But, then, what happened? The right hon. Gentleman who sat opposite (Mr. Knatchbull-Hugessen), and who claimed to be an authority upon questions of Parliamentary Business, and who, at all events, had been placed on a Committee which had been appointed for the express purpose of considering Parliamentary procedure, deliberately got up and made a suggestion to the hon. Member that he might evade—for that was what it came to—the ruling of the Chairman, by moving to report Progress. Now, if there was one practice which was more detrimental to the order and dignity of the House than another, it was that very practice of reporting Progress, in order to enlarge a discussion which should be kept within narrow limits; and if they were to resort to proceedings of that sort, he said it would be absolutely impossible for Business in that House to be properly conducted. When an hon. Member was excited, and felt himself restrained upon one question or upon another, and endeavoured by that means to escape from the limit laid upon him, they made some allowance for him; but, really, for the right hon. Gentleman to get up and make the suggestion that an hon. Member should move to report Progress, was subversive of all Business. He earnestly hoped that the Motion for Progress would be withdrawn, and that they might be allowed to devote their attention to the Amendment of the Attorney General for Ireland, after which he thought it would be reasonable to report Progress.

Mr. KNATCHBULL-HUGESSEN said, the real question of dispute with respect to this Bill was what was the real feeling of the people of Ireland upon this question?—and, considering it of the highest importance that that should be stated to the House, he had asked a Question as to whether the hon. Member for the county of Limerick (Mr. O'Sullivan) could not obtain an opportunity for stating the facts? It must be recollected that this Bill was in an extraordinarily favourable position considering that, being in the hands of a private Member, it was actually in Committee in the first week in April; the discussion, usually taken upon the second reading, was adjourned until the next stage, and then by accident the Bill slipped into Committee without any discussion at all. Now, the pith of the question was whether the people of Ireland were almost unanimously in favour of this Bill, as was alleged on the one side, or whether, as was said on the other, they had been aroused to action by the prospect of its becoming law, and were now actively petitioning against it. The hon. Member for the county of Limerick was analyzing the large number of Petitions which had come in during the present week when he was called to Order, and he (Mr. Knatchbull-Hugessen) desired that he should have an opportunity of completing his analysis. He had no intention whatever of suggesting obstruction, but only desired that the facts should be fairly placed before the Committee, and would advise the hon. Member (Mr. O'Sullivan) to withdraw his Motin to report Progress.

Earl PERCY wished to put a Question to the right hon. Gentleman (Mr. Knatchbull-Hugessen), who was a Member of the Committee sitting upstairs on Public Business—namely, whether, in his opinion, it was a proper course to discuss the opinion of the people of Ireland upon the whole scope of the Bill, at a time when the only real matter before the Committee was an Amendment on a particular clause?

Mr. SHAW expressed his disappointment that the Chancellor of the Exchequer had not concluded his observations with the suggestion that the long Sitting of the House should justify Progress being reported on this Bill. This was an Amendment of great importance, which he, for one, scarcely felt able to discuss at so advanced an hour; and there were several reasons why Progress should be reported before the Committee divided on the Amendment of the Attorney General for Ireland. In the first place, they were told that the Amendment was a compromise. Well, he supposed all legislation of that House was a compromise, more or less. For some hours he had been trying to effect a compromise with regard to this Bill, and he feared the difficulty would only be increased if they went to a division on the Amendment. Before adopting this measure, its supporters and the Government ought to consider several great practical questions. For instance, it had been said that the Bill would be an evil, while others said it would be a good measure. The Government might endeavour to settle that question by ascertaining whether there was any good or evil in the Bill. If the Government should be unable to determine the matter, at any rate, the constituencies would, when the matter came before them two or three years hence. They had not yet decided the question by the expression of opinion, nor had the opinion of the House been declared upon it. Hon. Members had said to him that they hated the Bill themselves, but would vote for it, because it was supported by the majority of the Irish Members and of the people of Ireland. He maintained that it had the sanction, neither of the majority of the Members of the House, nor of the majority of the people of Ireland. The Bill would not work in Ireland. He hoped the Government, with a view of arriving at a peaceful settlement of this question, would allow Progress to be reported.

THE O'CONOR DON said, as the supporters of the Bill had been so often taunted with the assertion that the opinion of the people of Ireland was against the measure, he would invite the Committee to consider the facts of the case. First, it was known that three-fourths of the Irish Representatives were in its favour.

MAJOR O'GORMAN rose to Order. Was the hon. Member entitled to discuss this point on the Amendment before the Committee?

THE CHAIRMAN explained to the hon. and gallant Member that the question immediately before the Committee was not the Amendment, but the Motion to report Progress.

THE O'CONOR DON said, public meetings on this question had been held all over Ireland, and there had been four to one in favour of the Bill. The magistracy, clergy, elected guardians, members of the town councils—all persons who knew the feelings of the people — were in its favour by overwhelming majorities. The majority of the Petitions were in favour of the Bill. [The hon. Member then referred to the manner in which the Bill had been dealt with during past Sessions and in the present one, especially to the long speeches delivered on Monday night by opponents.] With respect to the latter, he asked, were those speeches made for the purpose of convincing the House that the Bill was contrary to the wishes of the Irish people, or were they delivered with a view of defeating the Bill, as in previous years, for want of time? When the House had decided, by an overwhelming majority, larger than on former occasions, in favour of the principle of the Bill, was it fair to raise again the whole question as to whether this measure was opposed to the feelings of the people of Ireland? He hoped the majority in its favour would not allow the minority to override them. It was because the question whether a minority should override the majority had been raised, that the promoters of the Bill were obliged, at so late an hour, to ask the Committee to proceed with the measure.

MR. KNIGHT said, that as he was one of those Members who had sat up all night to oppose this measure, he would give, in a few words, his main objection to it. In the first place, he was very much opposed to over-legislation, and he thought that late Governments, backed by the House of Commons, had been much disposed during the last 10 or 15 years to fall into that error. He was for leaving people as much as possible to their own devices, and not for interfering with them unless they committed some real crime. Above all, he was opposed to inventing new crimes by Act of Parliament, and then punishing people for committing them. This was an imitation of the police governments of the Continent, which he held in abhorrence. The provisions of this Bill were distinctly of that nature. Then, he was opposed to all sumptuary laws. It was against the conditions of that personal freedom, which Englishmen so much prized, that they should be taught by Act of Parliament what to eat, what to drink, and wherewithal they should be clothed — and he objected to this Bill on that account also. He had a still stronger objection to the main principle of this Bill inasmuch as he had seen it tried and seen it signally fail. He recollected, not long ago—since he had been in Parliament—an Act having been passed, very much reducing the hours in which drink could be sold on Sundays in that Metropolis. He supported that measure, which passed with acclamation from both sides of the House. But it soon turned out that the lower classes of the Metropolis did not take the same view of the matter. They would not have their one holiday interfered with. Sunday riots of an alarming nature occurred, carriages were driven out of the Park, the windows of some of the leading promoters of the measure were broken, the police were obliged to be concentrated to endeavour to control the heavy mobs that assembled in the Parks and elsewhere; and the rest of the town, deserted by the police, had to keep the peace as best it might. He recollected having himself had to act as private policeman in the street he then lived in. The result was, that the police had orders not to carry out the new regulations, and that Parliament had to repeal the objectionable Act, *nem. con.* in a very few months after they had passed it. He was convinced that this measure would, if carried out, produce a similar state of things in Ireland. Hon. Members might present

Petitions signed by Peers, magistrates, ministers, and tradesmen, and all under their control; but they must remember that they had other and larger classes to deal with—the lowest classes—the swarms of men with sticks in their hands, that he had seen filling the streets of Irish towns on Sunday evening. If hon. Members believed that those masses of people would quietly consent to see the houses of refreshment to which they had been accustomed to resort shut up, without a murmur, they might depend upon it that they were reckoning without their host. If the Bill now before them became law, they might depend upon it that the lower classes in Ireland would deeply resent it, and the result would be —he would not say revolution—but a series of petty riots from one end of Ireland to the other, and Parliament would have to repeal the law as fast or faster than they made it. He had committed an error in supporting the somewhat similar measure he had alluded to for the Metropolis, and he was not going to fall into a similar error a second time. He was ready to sit up another night to oppose the Bill if necessary. He thought that the mistake of the present day was that of closing great debates at so early an hour as 12, or half-past 12 o'clock. When he came into Parliament, the debates went on into the morning, and the time was occupied in debating the measure before the House, instead of being passed in squabbling, as at present. He thought that the 12 o'clock Rule was the root of the evil.

Mr. W. E. FORSTER said, if ever there had been a principle debated over and over again, it was the principle of this Bill. Both English and Scotch Members were anxious that the question which deeply concerned the Irish people should receive the full attention of the Committee, and, if possible, be settled this year, in accordance with what appeared to be the desire of the people of Ireland. He had understood the Chancellor of the Exchequer to say that the Committee had arrived at a point which might fairly be decided that night. It could hardly be said to affect the general principle, because it was a recommendation to the Government to accept certain terms, to which opponents of the Bill could hardly object, which terms exempted large towns from the operation of the Bill. He had hoped the Committee would have been prepared to accept the appropriate and practical suggestion of the Chancellor of the Exchequer, to decide whether or not the Amendment of the Attorney General for Ireland should be accepted, and then report Progress. After that the Committee would arrive at the conclusion that the Government and the hon. Member for Roscommon (the O'Conor Don) were at one with regard to the further progress of the Bill. If the Motion for reporting Progress were withdrawn, the hon. Member for the county of Limerick (Mr. O'Sullivan), who was in possession of the House, would be heard with attention.

Mr. MURPHY said, that, when the Chancellor of the Exchequer rose, he was himself about to rise in order to suggest that his hon. Friend the Member for the county of Limerick (Mr. O'Sullivan) should withdraw his Motion for reporting Progress. For his own part, he was content that the division should be taken on the Amendment of the Attorney General for Ireland. Although he had intended to rise for the purpose of asking his hon. Friend to withdraw his Motion, he was surprised at the turn which affairs had taken; the debate which had arisen out of that Motion had been prolonged even by the hon. Member for Roscommon (the O'Conor Don), amongst others. Although the hon. Member was anxious that the Business of the Committee should proceed, he had occupied some considerable time in entering into the merits of the Bill, with the object of proving that the people—at least a vast majority of them—were in favour of the measure. He had himself been charged with adopting the unusual course of entering into the merits of the Bill immediately after it had gone into Committee. The hon. Member having stated the circumstances which had prevented a discussion of the principle on the second reading, and which had led to the understanding that such a discussion should be taken on going into Committee, explained that the latter stage was unexpectedly reached, at a Wednesday Sitting, through the sudden collapse of four Orders of the Day. This Bill stood next, and it went into Committee at once, without the principle being discussed. These were the facts of the case, which justified him in raising that discussion the other evening on the Motion that the Chairman leave the Chair; and he maintained that the new evidence which, in his opinion, went against the Bill, fully warranted him in discussing the merits of the measure on that occasion. He deemed it necessary thus to explain again his legitimate motives for the course he had taken, and the more so because, from the tenour of the observations of the Chancellor of the Exchequer, that right hon. Gentleman would appear to have adopted the idea so persistently urged by the promoters of the Bill, that he (Mr. Murphy) was not justified in raising a discussion on the principle or merits of the Bill in Committee. No Member of the House was more opposed than he was to the adoption of any factious or unnecessary proceeding, and he trusted that he would always act, not alone in accordance with the rules of debate, but with that deference to the instinct and unwritten law of the House which should also be a guide to every hon. Member. One word more before he sat down. It was very natural that he, on Monday, after the Bill had been discussed for seven or eight hours, should have supported the Motion to report Progress; but what did the promoters of the Bill do? They said they should not assent to Progress being reported, because two or three Gentlemen had made long speeches. It was true that a large portion of the time was taken up by two Gentlemen, of whom he was one; but if they had not spoken, there were other Members who, to his knowledge, intended to speak, but who did not. In any event, therefore, the time which had been taken would have been occupied. He trusted the Committee would see that on Monday, he had no other course to pursue than the one he took.

Mr. O'CLERY wished to say that a sufficient number of Members were present to prevent the House being counted out, and there was a sufficient reserve to keep the House in sitting until this Bill was passed.

Mr. J. LOWTHER hoped the Committee would proceed, and not be led away by the line of argument adopted by the hon. Gentleman who had just spoken.

Mr. PEASE said, as one of the warm supporters of this Bill, he would be prepared to urge upon his hon. Friend the Member for Roscommon (the O'Conor Don) a three years' trial of this measure as suggested by his hon. Friend the Member for Sligo (Mr. King-Harman), and he hoped the hon. Members for the county of Limerick (Mr. O'Sullivan) and Cork (Mr. Murphy) would withdraw their opposition, in order to give the Bill a fair trial, should this course be agreed to by his hon. Friend who had charge of the Bill.

Sir PATRICK O'BRIEN thought that the hon. Member for the county of Limerick, when called to Order, had been hardly dealt with. The Bill they were then considering, when they considered the Government Amendments which had been proposed, was not the same Bill as it had been before. He was sure that if the Government Amendments were adopted, the supporters of this Bill in Ireland would be dissatisfied. All their Petitions and organization would be wasted for a miserable Bill not worth having. If the Government Amendments had been known before, such an agitation would never have taken place in Ireland, for the play was not worth the candle. The Bill, so amended, would be like the play of *Hamlet*, without the principal character. He did not believe that any Member could get up and say that the Bill was worth having if the large towns were excluded from its operation. It was in the large towns that the measure was required, if required at all; and was this agitation to be kept up year after year simply to apply the principle of this Bill to the rural districts of Ireland? If the House carried the Bill with the Government Amendments it would omit the very parts of the country which demanded such a measure. In Ireland the principal promoters of this measure were persons actuated either by a feeling that drunkenness should be put down, or by Sabbatarian views, which made this Bill necessary. Had a meeting of the promoters in Ireland been held to consider the compromise now proposed, the Bill would not have been accepted in the form it was likely to take. They were now told that only a few small rural districts were to be affected by the Bill, and that lamentable position was to be supported by the Government. If the measure was to be tried for two or three years, then, he said, let the five exempted cities be included. Let them have no humbugging trial of this question; and if such a proposition as had been made would include the five cities, it would have his support.

Mr. C. BECKETT-DENISON thought it would only complicate matters if they discussed the duration of the Bill at that stage.

Mr. O'SULLIVAN said, he would not have moved to report Progress had he had an opportunity of bringing before the Committee the new evidence he had to produce. The Petitions he wished to allude to had been presented within the last week. There were 52 in favour of the Bill and 103 against it. Of these 103, 102 were from the Provinces of Munster, Leinster, and Connaught, and only one from Ulster had been presented in favour of the Bill. He could assure the Committee that there never had been an agitation of such a fictitious character as that in favour of the Bill. He challenged hon. Members to prove that four years ago, at the General Election, this matter was even mentioned in their addresses to their constituencies. Only two persons had mentioned it—the two ex-Members for Dublin—they had lost their seats in consequence. A great deal had been said about the divisions in that House. The real state of the case was this. The other day 53 Members were in favour of the Bill, 15 were against it, and 35 were absent, in spite of a strong Whip issued by the promoters of the Bill and the Liberal Party. Out of the 53 who supported the Bill, 21 were from Ulster. There were eight Conservatives and 24 Home Rulers in the majority, while there were 14 Home Rulers against the measure. Out of the 59 Home Rulers, 23 were for the Bill, and 14 against it—that was the overwhelming opinion they had heard so much about. The Liberal vote on this question was only given to corner the Government. The other night there were six prominent Whigs for the Bill, and not one against it. When the Liberals were in power it was very different. As to the English Members, there were 37 against the Bill, and 119 in favour of it. They were told that the people of Ireland were in favour of the Bill; but of the two deputations from Ireland to London, the one in its favour was composed of two Scotchmen. Of course, it was easy to get up an agitation where there was plenty of money, and when one hon. Member was spending £3,000 a-year for that purpose, there was no lack of funds. The hon. Member for Roscommon (the O'Conor Don) talked of his public meetings; but where were they? He (Mr. O'Sullivan) challenged them to have a public meeting in the Phœnix Park, Dublin, and let that meeting decide the question of Irish opinion on the subject—would they take up that challenge? He should not have moved to report Progress, if he had not considered it hard to be shut up without making those facts known to the Committee, and he now asked leave to withdraw his Motion.

Mr. SULLIVAN said, that they could not accept the challenge of a meeting in Phœnix Park, because it was well-known that the publicans of Dublin convened all such meetings.

Mr. KING-HARMAN pointed out that the other night they did not divide on the principles of the Bill, but whether the Chairman should leave the Chair or not; and, therefore, this important subject ought to be well-considered before they went further.

Major O'GORMAN had so frequently spoken on this question in the course of several years, that he felt great diffidence in addressing the Committee again on the subject. He should confine his attention to the Amendment brought forward by the Attorney General for Ireland, and which exempted certain towns from the operation of this Bill. One of those towns was the city of Waterford—that was to say, that the city of Waterford might have its public-houses open during the usual regulated hours on Sunday, and that the surrounding towns were not to have their public-houses open on that day. That being the state of the case, he would like to draw the attention of the right hon. Gentleman to what must take place if the Bill, with that Amendment, passed into law. He held in his hand a list of the towns and villages near Waterford, in which the public-houses would be shut upon Sunday. The people of those neighbouring towns and villages would find themselves forced to flock into Waterford on Sundays for the purpose of obtaining liquor. A few of those towns were Carrick-on-Suir, Kilmacow, Portlaw, Passage, and Piltown; all would on Sundays come from those towns into Waterford. They must come by boat, because that was the best and shortest way of doing so. [*Laughter.*] He wished to call hon. Gentlemen on the benches below him to Order. He assured the Committee that no one in that House enjoyed a good laugh more than he did; but he liked laughter to be convulsive, and not cachinnatory. Convulsive laughter was honest, but cachinnation was a sell, for there was nothing in it. The people of these towns would come to Waterford by boats, and go into the public-houses, where they would sit all the day. They would drink a good deal; and when they wanted to go home, they would go to their boats at night and make the best of their way back to those places. Now, he ventured to say that many of these poor people would lose their lives by drowning. [An hon. MEMBER: Then there would be coroners' inquests.] Yes, there would be coroners' inquests. But did the right hon. Gentleman consider what would be the result of his Amendment, if passed. He had proved to him what disasters would ensue; and he wanted to know if the right hon. Gentleman intended seriously to proceed with his Motion? He believed he would be in Order to move to report Progress, and he would so move.

THE CHAIRMAN pointed out that the previous Motion for reporting Progress had not yet been withdrawn.

Motion, by leave, *withdrawn.*

MAJOR O'GORMAN moved to report Progress.

THE CHAIRMAN: That will not be in Order so soon after the other Motion is withdrawn.

MR. CALLAN moved that Progress should be reported until after Easter. He believed that the opinion of the country had not yet been fully expressed on the subject. He had in his pocket a Declaration of the Sunday Closing Association, which contained signatures obtained by false pretences. On that Declaration was the signature of a gentleman who had proposed him at the last Election, and who for 18 years had been the chief magistrate of his district. He wrote to that gentleman, and, in reply, had received a letter that morning, stating, that if

"my signature was affixed to any requisition calling on you to support the Irish Sunday Closing Bill, I have only to say that I have never signed the document, or authorized any-one to sign it on my behalf; and, therefore, if my name appears on it, it is a forgery. I have never approved of the Bill; but, on the contrary, I believe it to be uncalled for and prejudicial, and tending to substitute shebeens instead of the regular licensed houses, and lead to a habit of the working classes to supply themselves with drink on Saturday."

It went on to say that such a practice would produce most deplorable results. That was the opinion of the chief magistrate of his county. The hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) had, over and over again, made charges against hon. Members of that House, based upon his favourite doctrine. He had said that "many a speech had been spoiled, and many a vote lost" through what he chose to call the "heated imagination of hon. Members." The hon. Baronet had gone further than this, and said that—

"The destinies of our Empire may some day be seriously affected—very seriously affected—by the consumption of intoxicating liquors by Members at the refreshment places which exist within the precincts of Parliament."

The point he wished to press upon the Committee was this. As there could be no hope of making any substantial progress with the Bill between the present time and Easter, why not adjourn the further consideration of the measure until after the Holidays, and, in the meantime, endeavour to come to some sort of a compromise? There could be no chance of this if the Bill was to be made a Party question of. In 1873 the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) and the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) voted against the principle embodied in this measure; but now the Whig Party were supporting the Bill in order to secure a few scattered votes in the North of Ireland. He had no hope of the matter being satisfactory settled, unless it was dealt with from a social, and not from a Party, point of view. He begged to move that the Chairman do leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Callan.*)

MR. J. LOWTHER thought the suggestion of the hon. Member who spoke last was one worthy of attention; and if, the Motion before the Committee being withdrawn, a division was taken upon the Amendment of his right hon. and learned Friend the Attorney General for Ireland, he thought there could be no objection to postponing all further consideration of the Bill for a time, in the hope of a compromise being effected.

Mr. CALLAN said, he would at once withdraw his Motion in favour of the suggestion which had been made by the Chief Secretary for Ireland.

Motion, by leave, *withdrawn.*

Question put.

The Committee *divided:*—Ayes 166; Noes 64: Majority 102.—(Div. List, No. 97.)

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. J. Lowther.*)

Mr. SULLIVAN thought the time had come at which the Government ought to state—having passed their Amendment—whether they intended to take up the Bill, or to afford facilities for its passage through the House. If the supporters of the Bill were to be abandoned to the obstructive tactics of a small knot of Members of the House, it would be better for them to take Sittings of any length, and force the measure forward.

Mr. J. LOWTHER said, the Government had never swerved from their original declaration—which was, that in the event of their Amendments being adopted, they would give facilities—and by facilities they, of course, meant time and nothing more—for the discussion of the Bill; such facilities being dependent, of course, upon the amount of time required for the transaction of the Public Business of the country. The Government had never undertaken to take charge of the Bill in any way, nor to support it.

The O'CONOR DON wished the Chief Secretary could state more clearly the shape which the facilities spoken of by the Government would take. If this was not done, he feared that it would be necessary to put the Bill upon the Paper for every night between the present time and Easter. He did not wish to cause unnecessary inconvenience to the House; but he should really like to understand in what position the Government intended to leave the promoters and supporters of the Bill. If the proposal of the Government were a reasonable one, those for whom he spoke would be willing to accept it.

Mr. J. LOWTHER could only say that it was impossible for the Government, in the present condition of Public Business, to name another day for the discussion of the Bill. Next week had already been set aside for an important debate, which was likely to last a considerable time; and then there were the Holidays to be remembered. The Government could not possibly promise a day before Easter; but the Chancellor of the Exchequer would, no doubt, in course of time, be able to afford facilities—by which he meant as much time as the Government could spare—for the consideration of the measure.

Mr. SULLIVAN said, it was exactly because "a day" had been mentioned before, that some hon. Gentlemen had been encouraged to think that if they consumed that day in opposing the Bill, they would effect the object they had in view. He observed that the right hon. Gentleman opposite (Mr. Lowther) shook his head. He was sure that if the Chief Secretary told the supporters of the Bill they would not be limited to a single day, they would be quite satisfied. The Friends of the measure which was now before the House required to know whether the Government intended to make any such limitation; for, if that were their intention, obstructive Gentlemen would be certain to try and occupy the time which the Government might afford.

Mr. GOLDSMID desired to ask the Chairman whether the hon. Member was in Order, in saying that the Friends of the Bill "required" the Government to say so-and-so? He had sat in the House for a good many years, and he had never before heard such a demand made in that form. The present discussion had commenced on the understanding that if the Amendment of the Attorney General for Ireland were carried, further proceedings would be adjourned; but the supporters of the measure were raising all sorts of objections and were not keeping faith with the House or with the Government. In these circumstances, he thought that an adjournment should be made forthwith, and that no more "demands" should be allowed.

Mr. GLADSTONE said, his hon. Friend who had just spoken had stated that he never before heard a demand made in the House upon the Government. He had heard a demand made very often; he was not sure that he had not heard the hon. Gentleman make a demand himself; and he did not think his hon. Friend had amended his mode of speech, when he stated, as a matter of assertion, that the promoters of the Bill had broken faith with the House and with the Government. At the same time, it would not, in his opinion, be fair to make any further demand upon the Chief Secretary for Ireland. That right hon. Gentleman had made no limitation as to the quantity of time which the Government might give; and it was just and necessary for him to look to other and possibly more imperative calls of Public Business, which Members generally were bound to regard. In these circumstances, he hoped his hon. Friends who promoted the Bill would see that they had obtained from the Government all that could reasonably be asked for.

The O'CONOR DON said, he would not ask anything from the Government which would be at all unreasonable. The right hon. Gentleman (Mr. Gladstone) appeared to consider the promise made by the Chief Secretary for Ireland as of such a distinct character that the advocates of the Bill were to get facilities for carrying it forward; and, that being so, he would not trouble the House by going on with the present discussion. He would not put down the Bill again before Easter; but, immediately after Easter, he would follow it up night after night, until he was able to make progress with it.

Mr. O'DONNELL said, he must protest against what he conceived to be the most immoral compromise which had been accepted by the promoters of the Bill. From the beginning of the agitation, the condition of the large towns in Ireland had been the main subject of complaint; and yet he now found that those who had advocated this measure readily granted to the Government licence to continue all the evils of the present system, in order that those Gentlemen might have the name of passing a Bill. That was not the manner in which Irish measures were usually presented to, and promoted in, the House; and it was not, in his opinion, without a sacrifice of consistency and of political honour, that the present compromise had been effected.

Motion *agreed to*.

Committee report Progress; to sit again upon *Monday*, 13th May.

LOCAL GOVERNMENT PROVISIONAL ORDERS (ABINGDON, &c.) BILL.

On Motion of Mr. Salt, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Abingdon, the Rural Sanitary District of the Abingdon Union, the Local Government Districts of Brampton and Walton, Buxton and Dalton-in-Furness, the Rural Sanitary District of the Headington Union, the City of Lincoln, the Rural Sanitary District of the Loughborough Union, the Local Government District of Newtown and Llanwllwchaiarn, the Boroughs of Saint Helens and Southport, and the City of Worcester, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented*, and read the first time. [Bill 142.]

House adjourned at a quarter after Three o'clock.

* * *

HOUSE OF LORDS,

Friday, 5th April, 1878.

MINUTES.]—Public Bills—*First Reading*—Inclosure Provisional Orders * (64); Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) * (65).

Second Reading — Endowed Schools and Hospitals (Scotland) (56).

Committee—Report—Threshing Machines * (50); Marine Mutiny *.

Third Reading—Entail Amendment (Scotland) * (52), and *passed*.

NAVY—FOUNDERING OF H.M.S. "EURYDICE."—QUESTION.

The Earl of WHARNCLIFFE asked the noble Lord who represented the Admiralty in that House, Whether there would be any objection to give their Lordships information as to a communication bearing on the foundering of the "Eurydice," which had been enclosed to the Foreign Office in a letter from Consul Hunt at Bordeaux?

LORD ELPHINSTONE said, that not only was there no objection to producing the document referred to by his noble Friend, but, on the contrary, it afforded him the greatest satisfaction to be able to give any information which might tend to exonerate those whose loss they all so deeply deplored, and with whose relatives their Lordships all so deeply sympathized. The letter referred to, dated March 28, was sent to the Foreign Office and enclosed a deposition made by the master of the English steamer *Badger*, which was off St. Catherine's Point, and must have been within six or eight miles of the *Eurydice* at the time she foundered. This was the enclosure in Consul Hunt's letter—

> " London and Einburgh Shipping Company,
> "Bordeaux, March 28, 1878.
>
> "S.S.Badger, Sunday, March 24, 1878, about 3.30 P.M., St. Catherine' Point, about N.N.W. 5 miles, passed one of Her Majesty's ships on our port side. She was then under all sail, topmasts and lower studding-sails on the port side, the wind being about W. by N. The weather had been fine all day, wind unsteady, shifting from W.S.W. to W.N.W. Passed St. Catherine's Point N.N.E. 2 miles at 3.45 P.M. I then observed dark heavy clouds to the N.W. About 4 P.M. the wind shifted suddenly to N.N.W., blowing strong, with snow, and continued about half-an-hour. I believe that the appearance of a squall coming on would not be seen from Her Majesty's ship. I did not see it until clear of St. Catherine's Point; It was low down, and clear overhead, and also clear over Isle of Wight; therefore, Her Majesty's ship would get the squall without any warning.
>
> " I remain, Sir, your most obedient servant,
> " JOHN LOUTTIT."

That document bore out a suggestion which he had ventured to make to their Lordships, when he addressed them a few nights ago on this subject—namely, that the nature of the land might have very possibly prevented the squall being seen by those on board the *Eurydice* until too late. Their Lordships knew what occurred when the squall struck that vessel. They knew what followed; but what they did not know—and what they could never know—was what was passing in the minds of those in a responsible position in charge of that vessel before the squall struck her, and the last fatal moment arrived.

PRECOGNITION (SCOTLAND)—SUDDEN OR SUSPICIOUS DEATHS.

MOTION FOR RETURNS.

THE EARL OF MINTO rose to move for Returns from each county in Scotland of the number of cases of sudden death, or of death under suspicious circumstances, which have been the subject of precognition by procurators fiscal in each of the years 1875 and 1876, and in which the investigations were from the first connected with charges of murder, culpable homicide, &c.; also specifying the number of such cases as have afterwards become the subject of criminal trials (Supplementary to Lords' Paper, No. 4, 1878); and also to call attention to a Return, headed "Precognitions (Scotland)" (Lords' Paper, No. 4, 1878) relative to

> "cases of sudden death, or of death under suspicious or unknown circumstances, which have been the subject of precognition by procurators-fiscal, &c. &c.,"

and also to the insufficiency and incompleteness of the system of certification of deaths in Scotland, under the 39th and 40th sections of the Registration Act of 1854. The noble Earl said, his object was, in the first place, to supplement the Returns which had already been obtained in regard to precognition in cases of sudden death under suspicious or unknown circumstances, so that they might have on the whole subject complete information; and he did not conceive that anyone would have any objection to this. He wished to call their Lordships' attention for a few moments to those Returns which had already been laid before them. The Return recently laid before the House gave the number of private inquests into cases of sudden death under suspicious or unknown circumstances, and the result of these was worth stating—in fact, it was the only valuable part of the whole Return. In the year 1876 there were 2,606 of these private inquests held; and, of these, there were only four in which the results were made known to the public—they only became known through criminal trials following as the results of them—unless there was such a trial, the public never heard anything of the cases. There were, therefore, 2,602 of these private inquests of which the public learnt nothing whatever. The people of Scotland were beginning to feel that that was not a state of things that ought to continue, and it was certain that if the number of deaths of this character in England bore the same proportion to population that it did in

Scotland, the result would be that in England they would have 15,000 private inquests of which the English public would never hear anything. In reference to the second part of this Notice, he would like to make a few observations on the subject of the certification of deaths. Now, as in England, there were in Scotland, rules that every death should be certified. What was meant by an uncertified death, was any death which took place without a certificate as to the cause being sent to the Registrar General from a medical man, or any death which had taken place and which had not been certified to the Registrar General. The Medical Officer of Health of the city of Glasgow had gone into the subject very carefully, and, a year or two ago, published the results of his investigations, for the benefit of the authorities. He would now only give the figures in one or two cases brought under their notice. In Glasgow, in 1874, according to the Report of Dr. Russell, there were 16,323 deaths, and out of these no fewer than 3,601, or 22 per cent, were uncertified. In deaths that were uncertified there was naturally ground for suspicion. He was sorry to say that it was in the case of children that these uncertified deaths were most numerous. The total number of deaths of children under five years of age in 1874 was 7,414, and out of these there were 2,279 uncertified. They would notice that the proportion was much higher than in the case of deaths of persons above the age of five years. He wished some explanation of these figures. He thought it necessary that the attention of the Lord Advocate should be called to the whole subject, for some remedy was assuredly required.

Moved for, Returns from each county in Scotland of the number of cases of sudden death or of death under suspicious or unknown circumstances which have been the subject of precognition by procurators fiscal in each of the years 1875 and 1876, and in which the investigations were from the first connected with charges of murder, culpable homicide, &c.; also specifying the number of such cases as have afterwards become the subject of criminal trials (supplementary to Lords Paper No. 4., 1878).—(*The Earl of Minto.*)

The Duke of RICHMOND and GORDON said, the last part of the Motion of the noble Earl was one of very considerable importance, dealing, as it did, with the certifying of deaths in Scotland. That a vast number of deaths which took place in Scotland were not certified, was certainly a matter that would require some attention. He would communicate with his right hon. Friend the Lord Advocate on this point, and ask whether there was any means by which the information which the noble Earl had stated was not forthcoming, and which he understood could not be produced, could be ascertained in some other way? He was not aware of the facts of which the noble Earl had informed the House, and which had been published by the eminent Medical Officer of the Board of Health in Glasgow. His statements affecting the death-rate of Glasgow were worthy of attention. He would refer to that communication, of which the noble Earl had given him a copy, and see whether any further information was required, and whether it could be given. He would make inquiry on the whole question of the working of the Registration Act of 1854. He was not aware that it was insufficient or incomplete; but, as the noble Earl seemed to think so, he would make inquiry and inform himself.

Motion *agreed to.*

Returns ordered to be laid before the House.

THE MAURITIUS—COOLIE IMMIGRATION.

QUESTION. OBSERVATIONS.

The Earl of KIMBERLEY asked, What steps have been taken in the Colony of Mauritius to carry into effect the recommendations of the Royal Commission on the treatment of Indian labourers in that Island, and whether further Papers will be laid on the Table on the subject? The Commission reported at the end of 1874. He would not go into the voluminous evidence taken by the Commissioners, nor to the details of their Report; but there were two or three points on which he would like to say a few words. A complaint was made against the system of coolie management in the Mauritius—that, whether in the case of the coolies actually serving or in that of those passing through the country, hindrances were placed in the way of their going from one part of the island to another. It was said that there was a great deal of oppression under the police regulations. The Report of the Commissioners stated that for certain reasons the system in force could not be dispensed with, but recommended certain alterations. Another recommendation of the Report was, that magistrates appointed in the Colony should not be connected with sugar estates, but should be independent men, who would administer justice without favour or affection. Another point was this—in all other Colonies to which there was coolie immigration, the Governor had the power of withdrawing coolie labourers from estates on which they were ill-treated, and of stopping them from going to such estates. The Governor of the Mauritius had not that power. Though he believed that, as a rule, the coolies were well-treated, he thought it was of the greatest possible importance that they should have the most ample protection against oppression. Lastly, there was the question of payment of return passages to India, on the expiry of their term of labour. One of the Commissioners was in favour of free-return passages, and the other was against it. He inclined to the opinion of the Commissioner who thought they ought to be granted. These were the points on which he desired information. He had read with satisfaction the Papers already presented to the House. They showed that the Government had drawn the serious attention of the Government of India to the desirability of encouraging Indian immigration into the Colonies; and he believed that, with proper precautions, such immigration would confer a mutual benefit on India and the Colonies.

Earl CADOGAN said, that the Ordinance, which had been drafted with the object of effecting the desired improvements, founded on the recommendations of the Commissioners, had been received at the Colonial Office. It was now under the consideration of his right hon. Friend the Secretary of State for the Colonies, and he hoped that all matters embraced in it would shortly be dealt with, and the document itself placed before Parliament. To go into the points touched upon by the noble Earl opposite (the Earl of Kimberley), would be to forestall the Ordinance. As to a power to the Governor to withdraw and stop the supply of labourers from estates in the case of ill-treatment, a measure of that sort would probably be included in the Ordinance; but the Secretary of State for the Colonies had pledged himself not to come to a conclusion as to certain matters proposed to be embraced in the Ordinance until after he should have a conference with a deputation which was to wait upon him. He was happy to believe that, since 1874, when the Royal Commissioners reported, there had been a considerable improvement in the condition of the coolies.

The Earl of CARNARVON thought that one cause of the difficulty which had arisen in the Mauritius was owing to the fact that the coolie labourers that immigrated to that island were of a lower class than those generally sent to other Colonies. That was a considerable aggravation of the difficulties which arose under the system. Added to that were certain legislative provisions, and the practices carried on under them. He was glad that the Ordinance would be shortly laid on the Table. It amounted almost to a code. He regarded the giving of power to the Governor to withdraw and stop the supply of coolies in case of ill-treatment as the very key-note of the Ordinance, and, therefore, hoped it would not be struck out. While anxious to respect the scruples of the Colony, he thought it desirable the people of the Mauritius should bear in mind that it was only with the concurrence of the Government of India they got the coolies at all; and, unless the treatment of the immigrants was just, the Government of India would not be justified in giving its assent to the continuance of that immigration. On the other hand, if the coolies were well-treated, they would, on their return to India on the expiry of their terms of service, by their account of the treatment they had received, give the best encouragement to the system. He, therefore, regarded it as of great importance that return-passages should be secured to them. As the Governor of the Mauritius was on the point of leaving, he wished to bear his testimony to the great services he had rendered to the Colony by his able administration since the time when, at great inconvenience to himself, he had undertaken the duties of Governor. It would be a difficult task to replace him.

The Earl of NORTHBROOK said, it was desirable that the fullest protection should be afforded to the coolies in the Colony. He was aware that both his noble Friends (the Earl of Kimberley and the Earl of Carnarvon), while holding the Office of Secretary of State for the Colonies, had taken great pains to secure full justice to the coolies; but it was now three years since the Report of the Royal Commission on the subject, and he trusted that the new Ordinance would be issued without further delay.

ENDOWED SCHOOLS AND HOSPITALS (SCOTLAND) BILL—(No. 56.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2ª."—(*The Lord President.*)

The Duke of ARGYLL said, he had no intention whatever of obstructing the progress of the measure, but he wished to ask the noble Earl opposite how far it was consistent with the English system that in Scotland the power of initiating schemes of reform should be restricted to the Governing Bodies? He had no doubt that a great number of schemes would be submitted to the Commissioners under the Act; but there might be instances in which the Bodies requiring reform would not submit schemes, and there was no power given to any other authority for initiating an inquiry and making a report. In the English Act there was a clause that where a Governing Body of an institution which stood in need of reform did not initiate a scheme of itself, it should be within the power of the Commissioners to take up the matter and propose a scheme of their own. There was no such provision in the present Bill. He had reason to believe that this would give rise to some trouble, and that some of the Governing Bodies in Scotland would avail themselves of the omission, and would not make any application to reform themselves. Thus the Commissioners would really have nothing to do. But what concerned him more was that it was the worst-managed institutions that would escape, as they were not likely to reform themselves. He would suggest that power should be given to the Commissioners to initiate schemes of reform in cases where the Governing Bodies neglected to do so.

The Earl of CAMPERDOWN said, he quite concurred with the noble Duke in not desiring to offer any obstruction to the progress of the Bill—on the contrary, he desired to assist in passing it in the best and most perfect form. No doubt the first idea suggested by the Bill was that to which the noble Duke had given expression. The Bill enabled the Governing Bodies of these institutions to reform themselves; but if they did not choose to take the initiative in the matter none other could, and the question would stand over, and could not again be considered at the earliest until the year 1881, when the Act would expire. The Commissioners appointed to inquire into these endowments reported as long ago as 1875, and their Report attracted considerable attention in Scotland. In all analogous cases in England power of initiation was given to the Commissioners. He believed that the defective powers of this Bill arose from its being copied from—indeed, almost identical with—the Act of 1869; but there were very good reasons for giving power of initiation and compulsion to the Commissioners in the present case, though it might not have been desirable or possible in 1869. In the year 1869 the Government had not the information which it now possessed; and when it was discovered that there was not sufficient power, under the Act of 1869, to carry out the scheme proposed by the Secretary of State for the Governing Bodies that wished to reform themselves, the Commission which had just reported was appointed. But now the Government had a long and able Report, in the general conclusions of which, he believed, most people in Scotland, representing all shades of party, would agree; and which, he believed, would afford the country an opportunity of carrying out the contemplated reforms. There was one other point to which he would like to call their Lordships' attention. It was very likely that his doubts proceeded from want of knowledge—but he did not quite understand the position of the Secretary of State in this matter. He seemed placed in a very peculiar position. The Bill provided that the Governing Body which was desirous to reform itself should present a Petition to the Secretary of State; the Secretary of State might remit the Petition to the Commissioners; the Commissioners, after making such inquiries as they thought necessary, were to report to the Secretary of State; and he, if he thought proper, made a Provisional Order, with such alterations of the original scheme as might appear to him requisite. These endowments were connected chiefly with education, and he could hardly understand why the Secretary of State was the person to whom these Petitions were to be presented, that he might deal with an educational matter. He made these remarks more particularly in connection with Clause 11. The Commissioners, under Clause 11, were to report to the Scotch Education Department the conditions according to which, in their opinion, the Parliamentary Grant for public education in Scotland might be most advantageously distributed for the purpose of promoting education in the higher branches of knowledge. In that policy he cordially agreed. The noble Duke (the Duke of Argyll) had said that some persons denied the knowledge and capacity of the Commissioners to deal with the subject; but he (the Earl of Camperdown) was quite persuaded of the competency of the Commissioners to report on the subject. It was right there should be a report to the Scotch Education Department on this matter. But why should they not report these schemes, which would chiefly relate to education, to the Education Department, that they might deal with and settle them in exactly the same manner as the English Education Department had settled all the schemes in regard to Endowed Schools in England? That was the only Question he wished to put to the noble Duke; and he suggested for his consideration that he should give to the Governing Bodies power to follow the analogy of the English Endowed Schools Act to frame schemes to submit to the Commissioners up to 31st December, 1879, and give the power thence to the Commissioners till 31st December, 1880, when the Act expired, in case the Governing Bodies did not before this submit proposals to be approved subsequently by the Education Department, and to be sanctioned by Parliament. This, without making any fundamental change in the Bill, would reform their institutions in a manner analogous to that provided by the English Act. He should be very glad to assist the Bill through the House.

THE EARL OF AIRLIE said, the Bill was a great deal too permissive, and he hoped that some additional powers would be vested in the Commissioners. The noble Duke the Lord President in introducing the Bill, referred to the want of power felt by Governing Bodies to reform themselves. Many were, no doubt, anxious to do so, and naturally desired the power to make necessary changes; and the Bill gave them power to present a Petition to the Secretary of State, who might, after proper inquiry, grant a Provisional Order; but it gave no power to the Secretary of State or the Commissioners to institute inquiries and make reforms where the Governing Bodies were unwilling to reform themselves. He hoped the noble Duke would take into consideration the desirableness of making the Bill a little more powerful than it was, for at present it was rather a feeble measure.

THE EARL OF ROSEBERY said, as the only Member of the Commission to which reference had been made who had a seat in their Lordships' House, he would join in the universal chorus which had proceeded from the Liberal side of the House, that the Bill was in its character altogether too permissive. He did not think it was often found in the experience of the noble Duke that those Bodies who most needed reform came forward asking for it themselves. Bodies needing reform were found very tenacious of their abuses. Take the case of Heriot's Hospital, which had a vast endowment, which was applied to purposes of education—that was to say, it was applied to purposes which were intended to be provided for by the education rate, and saved just so much for the pockets of the ratepayers. This would be the very last institution to petition for reform. Such an instance should be sufficient to induce the noble Duke to give to the Commissioners some additional power.

LORD BALFOUR OF BURLEIGH said, it was a source of great satisfaction to him that Her Majesty's Government had undertaken to deal with this subject. It was one which was beset with much difficulty; but he thought the Bill now under consideration was calculated to do a great deal of good if it was passed into law. No doubt there was a good deal in what had been described as "the universal chorus" from the other side of the House; but he thought there were some other considerations that demanded attention. He thought they would all probably admit that if the Bodies proposed to be dealt with by the Bill could be got to come forward themselves, and profess their willingness to be reformed, a great deal would be gained. He thought, also, that if there was too much appearance of forcing reforms upon these Bodies, they might raise a great deal of opposition which might be prejudicial to the end they had in view, and might result in their losing the good which would be derived from passing this Bill; though, in itself, it might not be all that could be desired. He should like to ask the noble Duke the Lord President of the Council what would happen in this case? Supposing the Bill to be passed, and a Governing Body to come forward and present a Petition for reform—if the Commissioners did not think the scheme a good one, or that it was insufficient, and rejected it, would the Commissioners or the Secretary of State have any power to revise the scheme in accordance with their own views, or would they be obliged to reject it pure and simple, and would have no power to alter or amend it in the slightest degree? Before he sat down, he should like to direct their Lordships' attention to the composition of the Commission. He ventured to think it was slightly too large for the work which it had in hand. He ventured to think that a smaller number, well-paid—say, a Chairman and two Commissioners—would be able to get through a good deal more work, and to devote more attention to the business in hand, than if it were composed of a large number of gentlemen who had other business of various kinds to employ their time. It was not quite clear whether this Commission was meant to be representative. There was no provision in Clause 12 for any election, and the result might be that the gentlemen selected under the qualifications imposed by the Bill might not really represent the opinions of the Bodies from whom they were selected. He should like to ask the noble Duke the Lord President of the Council, whether it was competent to the Bodies named to elect a Member of the Commission?

THE EARL OF ELGIN said, the noble Duke (the Duke of Richmond and Gordon), in introducing this Bill, conceded so entirely the principle that they had always maintained, that Scotland had a right to equal treatment with England, that if he could see under this measure that equality was secured to them, he should hesitate to trouble their Lordships on this occasion; but he must add his voice to what had been said in reference to the permissive character of this Bill. Many people maintained that the chief characteristic of Scotch education—of which they had a right to be proud—was that a boy could be qualified for the University course in the parish schools of the country. He would be the last to speak slightingly of the service rendered to the country by the parish schoolmasters; but he confessed he thought that for many years the old system had been gradually becoming insufficient, and the time had now come when the educational system of Scotland could not be complete until in every centre of population a secondary school was established. Therefore, he trusted that the 11th clause of the Bill would be restricted to those rural districts where no secondary school could be within the reach of the people. The Commissioners reported that scarcely any secondary schools could be said to exist in Scotland. There were only 11 under the Act of 1872, and some 50 burgh and grammar schools, more or less inefficient from various causes, but especially because the endowments were very inadequate, amounting only to some £15,000. On the other hand, it had been calculated by a competent authority—Professor Laurie, who acted as Secretary to the Commission—that there were at least 91 towns or places in Scotland where a secondary school could be established with advantage; and that, in almost all of these, an endowment of some kind existed on which a school might be founded. But he observed that generally the sum total was made up of a variety of small sums, contributed by different trusts; and, though power was given in the 9th clause for several Governing Bodies to combine, their Lordships must see how greatly the difficulty of arriving at a satisfactory scheme would be increased by leaving the initiative entirely to the individual action of those various Bodies. He thought that, in considering this Bill for Scotland, they might point, as had already been done, to the success of the means adopted in England; which had proved beyond dispute that in almost every case where a really well-advised scheme had been brought forward by an impartial authority, opposition was most unlikely to ensue. He should like, also, to call attention to the composition of the Commission. He quite agreed in thinking that a smaller Commission might do the work more satisfactorily than the one now proposed. He could not understand how the Lord Provost of a city, or the Convener of a county, had, *ex-officio*, any right, or any capacity to be the man who was to deal with the endowments not only of the place with which he was, *ex-officio*, connected, but with the endowments of the whole Kingdom. He would not pretend to say that no good could come of this Bill; but he should deeply regret if so good an opportunity were lost for effecting a real and comprehensive reform in the educational system of Scotland.

The Duke of RICHMOND and GORDON said, he had no right to find fault with the remarks which noble Lords on both sides of the House had made as to the principle of the Bill. Indeed, he believed they had all one and the same object in view, and that was to utilize the endowments now existing in Scotland—and which they all believed and thought could be turned to better and more economical use than was now the case. He would deal as well as he could with the remarks made by several noble Lords—and, first, as to the remarks of the noble Earl who last addressed the House, and of the noble Lord behind him (Lord Balfour of Burleigh), as to the composition of the Commission. The Government had endeavoured to put on the Commission Members who would represent the various interests throughout the whole of Scotland. He believed that the Commission was not excessively large. The number was to consist of eight; and they had selected them from the various Bodies set out in the Bill, believing that, thus selected, they would represent all classes and shades of opinion in different parts of the country. In regard to the proposal made by the noble Lord (Lord Balfour of Burleigh), that the Commissioners should be chosen by election, he thought the noble Lord scarcely appreciated the difficulties that would follow. It would be very difficult for four Universities—Edinburgh, Glasgow, Aberdeen, and St. Andrew's, to elect one person to represent them; and there would be a difficulty in the Conveners of Supply of all Scotland electing one of their number to represent them. He thought that in this, as in other Commissions, they might trust that Her Majesty would be well-advised on the responsibility of Her Ministers in selecting the best persons from the various classes that were mentioned in the Bill. The noble Earl opposite (the Earl of Camperdown) suggested that it was inconvenient that the scheme should be submitted to the Secretary of State, and by him to the Commissioners. He thought, if he mistook not, that the Secretary of State was the authority in the Bill of 1869, and he confessed that he thought the Secretary of State was the proper authority to deal with this question; because it might be, in the end, that Provisional Orders would be issued, and he thought they would be better administered by the Secretary of State than by including them in the duties of the Education Department. The obvious reason for the Education Department being inserted in Clause 11 was to deal with the Parliamentary Grant—for the Education Department was responsible for the Parliamentary Grant given under the Act. He thought he had noticed the main objections to the details of the Bill. No doubt there was no charge whatever of maladministration on the part of any of the Bodies proposed to be dealt with; but in many cases they had declared themselves anxious to be reformed, but had not sufficient power to do so. He now came to what he considered to be the most important part in the suggestions and remarks made, and which were initiated by the noble Duke opposite (the Duke of Argyll), relative to the Commission initiating schemes where the Governing Bodies failed to initiate them themselves. No doubt, it would be rather an anomaly that there should be a large number of schemes in Scotland, all of which required to be amended, and that a certain portion of these only should come within the jurisdiction of the Commissioners; while others, which required to be reformed quite as much as those that came before the Commissioners, should be left outside to continue the evils they were perfectly willing to remedy. He thought there was great force in the remarks which his noble Friend had made; and he would, between this and the House going into Committee on the Bill, consider whether he could accept the proposal his noble Friend had made, to limit the duration of the permissive character of the Commission to some period—such as a year—and if, in that period, the Governing Bodies had not formed a scheme to reform themselves, he thought it was well worthy of consideration whether powers could not be given to the Commission to step forward and say these institutions should be required to come under their review.

The Marquess of RIPON said, it certainly appeared to be an anomaly that education should be handed over to be administered by the Home Department, instead of the Education Department. The case of 1869 was not altogether a precedent; because, in 1869, the Scotch Education Department did not exist. It had been constituted since that time, with special Representatives of Scotland in it.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

INCLOSURE PROVISIONAL ORDERS BILL [H.L.]

A Bill to authorise the inclosure of certain lands in pursuance of reports of the Inclosure Commissioners for England and Wales—Was *presented* by The Lord Steward; read 1ª; and *referred* to the Examiners. (No. 64.)

PROVISIONAL ORDERS (IRELAND) CONFIRMATION (DUNGARVAN, &c.) BILL [H.L.]

A Bill for confirming certain Provisional Orders of the Local Government Board for Ireland relating to Waterworks in the town of Dungarvan, and to the Burial Grounds of Barnahely and Templerobin, in the county of Cork, and to the town of Tralee—Was *presented* by The Lord President; read 1ª, and *referred* to the Examiners. (No. 65.)

House adjourned at half past Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 5*th April,* 1878.

MINUTES.]—Ways and Means—*considered in Committee—Resolutions* [April 4] *reported.*

Private Bill (*by Order*)—Dublin Tramways, 2°.

Public Bills — *Ordered — First Reading—* Customs and Inland Revenue* [146].

First Reading—Local Courts of Bankruptcy (Ireland)* [145].

Second Reading—Metropolis Waterworks (Purchase) [58], *debate further adjourned.*

Select Committee—Report—Weights and Measures [No. 133]; Public Health Act (1875) Amendment [No. 134].

Committee— Report—Bills of Sale (*re-comm.*) [129]; Metropolis Management and Building Acts Amendment (*re-comm.*) [132].

Report—Public Health Act (1875) Amendment* [66-144].

PRIVATE BUSINESS.

DUBLIN TRAMWAYS BILL (*by Order.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [26th March], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Maurice Brooks.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

Mr. M. BROOKS said, he had a Petition to present against the Bill, from the Lord Mayor, Aldermen, and Burgesses of the city of Dublin.

Mr. SPEAKER: The original Question was—"That this Bill be now read a second time;" since which an Amendment has been moved to leave out the word "now," and to add at the end of the Question the words "upon this day six months." The Question I have to put is, "That the word 'now' stand part of the Question."

Question put.

The House *divided*:—Ayes 87; Noes 45: Majority 42.—(Div. List, No. 98.)

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

QUESTIONS.

METROPOLIS—FREE PORTERS OF THE CITY OF LONDON.—QUESTION.

Mr. COWPER-TEMPLE asked the Secretary of State for the Home Department, Whether the existing payment of the Orange porters connected with the Fellowship of Free Porters in the City of London by means of tokens cashed in public houses by publicans, who obtain remuneration for acting as cashiers, through the sale of liquors to those porters, is in contravention of the Laws that regulate the payment of wages?

Mr. ASSHETON CROSS, in reply, said, he had a communication from the Master of the Fellowship of Free Porters, and, without giving any opinion as to the point of law raised by the Question, he might state that the porters did receive a token for every pack they carried, and it appeared to have been the custom at four public-houses to cash those tokens, and to charge 1*d.* in the 1*s.* for so doing. He was not aware whether the practice could be prevented or not, but inquiry would be made into the subject.

THE LATE PERSIAN LEGATION.

QUESTION.

Sir THOMAS CHAMBERS asked the Under Secretary of State for Foreign Affairs, Whether he will lay upon the Table of the House the Correspondence on the subject of the debts incurred with English tradesmen by the members of the late Persian Legation, which has passed between the Foreign Office and the agent for the creditors; and, whether he can hold out any hope of prompt payment?

Mr. BOURKE, in reply, said, that on several occasions the claims referred to had been brought under the notice of the Persian Government, both through the Persian Minister in London and Her Majesty's Minister at Teheran, who had been instructed to urge unofficially their payment. Her Majesty's Government did not think that, under existing circumstances, any useful purpose would be secured by laying the Correspondence upon the Table, neither could he hold out any hope of prompt payment.

DEMOLITION OF HOUSES (METROPOLIS)—THE MIDLAND RAILWAY COMPANY.—QUESTION.

Sir THOMAS CHAMBERS asked the Secretary of State for the Home Department, Whether his attention has been called to the proceedings of the Midland Railway Company, which has recently, and without (as is alleged) complying with the provisions of the Act of Parliament inserted for the protection of the working classes, demolished 221 houses in the parish of St. Pancras, in which 663 families (amounting to 2,652 persons) formerly resided, that is, without having given the statutory notice, or obtained the certificate of a justice, or made any provision for the evicted persons elsewhere; and, further, whether it is not the fact that in a short time 180 more houses will be destroyed, in which 720 families, or 2,880 persons, reside, for whom no other shelter has been provided by the Company?

Mr. ASSHETON CROSS, in reply, said, that, from a communication he had received from the Secretary of the Midland Railway, the hon. and learned Gentleman would appear to have some misapprehension as to the facts. The Secretary stated that they obtained their Act in 1875, and at that time 130 houses were standing empty. In the case of 20 houses the people left of themselves, and notices were given by the Company itself to only 16. Those notices were given in consequence of the Company being required by the Metropolitan Board of Works to pull the houses down, as they were considered dangerous. With regard to the last part of the Question, he (Mr. Cross) was informed that the Company had no intention of removing any other tenants until they had completed arrangements now in progress to enable them to comply with the obligations imposed by the Act of Parliament passed for the protection of the working classes. To the 16 persons who had notice to leave the most ample compensation was made by the Company.

DOMINION OF CANADA—PERMISSIVE BILL.—QUESTION.

Sir ALEXANDER GORDON asked the Secretary of State for the Colonies, Whether it be true that the Canadian Government have introduced into the

Parliament of the Dominion a Bill for regulating the traffic in liquor very similar to the Permissive Bill of the honourable Member for Carlisle?

Sir MICHAEL HICKS-BEACH, in reply, said, he understood that a Bill on the subject referred to by the hon. and gallant Baronet had been introduced in the Dominion Parliament, the position of which was so far similar to that of the measure of the hon. Member for Carlisle, that the second reading was fixed for a Wednesday, and that from the remarks made by hon. Members, it appeared exceedingly doubtful whether it would become law. This Bill was referred to as a Permissive Bill; but, from the speech of the Governor General in opening the Session, he (Sir Michael Hicks-Beach) gathered that it was a Bill for making more uniform throughout the country the regulation of the liquor traffic, rather than making it less uniform. He had not received a copy of the Bill, and, therefore, could not lay it upon the Table.

THE MURDER OF THE EARL OF LEITRIM.—QUESTION.

Mr. CLIVE: I beg to ask the Chief Secretary for Ireland, Whether the Government is about to take any, and, if so, what steps for the discovery of the perpetrators of the recent murder in Donegal?

Mr. J. LOWTHER: Sir, a proclamation has been issued by the Lord Lieutenant, offering a reward of £500 for information leading to the arrest of the murderers. This reward, I may observe, is not subject to the usual conditions involving the actual conviction of the accused parties, and the name of the person becoming entitled to the reward need not necessarily be disclosed, nor will he be required to give evidence except with his own consent. The Crown Solicitor has been sent to watch the magisterial inquiry on behalf of the Government, which inquiry is proceeding. In addition to this, the Deputy Inspector General of Constabulary has been sent to the scene of the outrage, with special authority to enable him to obtain information. Just before coming down to the House, I have received information that it is hoped that important evidence has already been obtained against certain persons who have been arrested.

Mr. GLADSTONE: With a view to the fuller understanding of the answer just given, I should like to know, Whether the reward of £500 will be given upon evidence leading to arrest; or what measures—I have no doubt proper measures—will be take to ascertain that it is given upon an arrest made with just cause?

Mr. J. LOWTHER: The Government have thought it expedient to retain in their hands discretion as to the payment or not of the reward in such a case.

NAVY—NAVAL FORCES IN THE PACIFIC.—QUESTION.

Mr. BATES: I beg to ask the First Lord of the Admiralty, If, in view of the complications arising in various parts, Her Majesty's Government are taking steps to strengthen the squadron in the North Pacific and in China?

Mr. W. H. SMITH: Sir, the Admiralty are fully aware of the necessity of maintaining an adequate Force both in the Pacific and in the China waters. We believe that we have at the present moment a very efficient Fleet in those waters; but it has been contemplated for some time past to send the *Triumph* into the Pacific, and she will be brought into commission very shortly.

TURKEY—MURDER OF MR. OGLE. QUESTION.

Sir CHARLES MILLS: I beg to ask the Under Secretary of State for Foreign Affairs, If any official information has been received of the reported murder of Mr. Ogle at Volo; and, if so, if Her Majesty's Government propose to take any steps in the matter?

Mr. BOURKE: Sir, I am sorry to say that Her Majesty's Government have received, both from the Minister at Constantinople, and also our Minister at Athens, an announcement of the melancholy fact that Mr. Ogle has been murdered, and Her Majesty's Representatives have been instructed to use all their efforts to ascertain the particulars with respect to the occurrence.

INDIA—PUBLIC MEETINGS. QUESTION.

Mr. FAWCETT asked the Secretary of State for India, Whether he will ascertain from the Government of Bombay, and state to the House, the reasons which induced that Government to refuse to some of the leading inhabitants of Bombay the use of the town hall, when they recently desired to hold a public meeting in it for the purpose of expressing their opinions on the proposed new taxation in India; and, whether he can inform the House when the Papers relating to the Act recently passed for regulating the native Press will be laid upon the Table?

MR. GATHORNE HARDY, in reply, said, the Government of Bombay did not allow the use of the town hall, which was a Government building, for a meeting called to protest against the legislation of the Government. The same course had been pursued on a former occasion by Sir Philip Wodehouse. The Papers relating to the Press Laws of India had not yet been received, and he could not say when they would be presented to the House.

MR. FAWCETT asked, Whether the right hon. Gentleman was aware it was a fact that the town hall of Calcutta had been given up to the inhabitants for the holding of a meeting precisely similar to that which it was proposed to hold in Bombay?

MR. GATHORNE HARDY, in reply, said, he had no information on the subject.

MR. FAWCETT said, he would renew the Question on Monday.

TURKEY — CRETE — THE INSURRECTION.—QUESTION.

MR. SHAW LEFEVRE: I beg to ask the Under Secretary of State for Foreign Affairs, If he is now in a position to say whether the Papers relating to the insurrection in Crete will be laid upon the Table of the House; and, if so, whether they can be in the hands of Members by Monday next? I will add this further Question, of which I have given the hon. Member private Notice—Whether the Government has received any information with respect to the alleged massacres of women and children in the neighbourhood of Volo?

MR. BOURKE: I stated, in reply to the hon. Member a few days ago, that as soon as my noble Friend the Secretary of State for Foreign Affairs had an opportunity of looking through the Papers I should be able to state whether, in his opinion, it was desirable, in the interest of the public service, to lay those Papers upon the Table of the House. It has been impossible for my noble Friend to give to those Papers such a thorough investigation as they require; and all I can say is, that when he has looked through them, it will be stated whether he thinks they can be printed. With regard to the Question of which the hon. Member has given me private Notice, a short telegraphic despatch has arrived upon that subject. Whether I should be justified in speaking of the occurrences as alleged massacres it is impossible for me, from the information we have received, to say; but there is no doubt that circumstances of a very regretable character have occurred there, and Her Majesty's Ambassador at Constantinople has formally brought the matter to the notice of the Porte, and urgent instructions have been given to the military authorities to prevent any further pillages and outrages being committed.

In answer to Mr. JOHN BRIGHT,

MR. BOURKE said: That is a telegram from Mr. Layard. The telegram respecting the outrages I have not got, and I do not think if I had it, I should have been justified in reading it, because it is impossible for me to say whether its contents are altogether authentic.

THE FINANCIAL STATEMENT.

QUESTION.

MR. CHILDERS asked, in order to clear away any misapprehensions that might exist in the minds of hon. Members, Whether, from the fact of having agreed to the Budget Resolutions relating to the Income Tax and the duty on Tobacco, the House was precluded from discussing, in Committee of Ways and Means on the remaining Resolutions, the general scope of the financial proposals of the Government, including those which, for the purposes of convenience in reference to the fiscal arrangements of the Government, had been agreed to?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, there would hereafter be ample opportunity for the discussion and review of what had been already done, in Committee of the Whole House, in reference to the Budget Resolutions. It would be most unreasonable if such were not the case, in view of the fact that the Committee had agreed to two of the Resolutions on grounds connected with the fiscal exigences of the case. He should like to know when it would be convenient for right hon. and hon. Gentlemen opposite to inform him as to when they would like to take the discussion?

Mr. CHILDERS said, he believed it would be convenient to those hon. Members with whom he had communicated, if the discussion was taken in Committee of Ways and Means on the first convenient day after the close of the debate on the Royal Message, to commence on Monday next.

In reply to Mr. Mundella,

The CHANCELLOR of the EXCHEQUER said, that he did not know how soon the Budget figures would be ready, as they had been out of his hands for some time.

PARLIAMENT—BREACH OF PRIVILEGE.

QUESTION.

Dr. KENEALY: I wish to ask the right hon. Gentleman the Secretary of State for the Home Department, On whose authority he stated in his place in Parliament, on the 3rd of August, 1877, that Mina Jury, a witness against the defendant in the Tichborne Case, and who is now in penal servitude for several robberies, was not the same person as Mercivina Caulfield, who was sentenced to seven years' transportation for robbery in Dublin, in 1847; and, whether the person who gave him the information is still in the service of the Government, or receiving a pension; whether it was proved at the trial of the detectives at the Old Bailey, in September last, by Superintendent Williamson, of Scotland Yard, that Mercivina Caulfield and Mina Jury were one and the same person, and that she had been so convicted in Dublin as alleged?

After an interval,

Mr. SPEAKER: I have to point out to the hon. Member and this House, that the hon. Member brought to the Table of the House yesterday a Question which was, in fact, substantially the same Question as that which he now proposes to put to the Secretary of State, with a view to its being put upon the Notice Paper. The hon. Member was informed by my direction that such a Question could not be properly put according to the Rules and Practice of House; and it was pointed out to him that if he desired to raise a question of that character, it must be done by specific Motion. I am surprised, therefore, that, after that intimation, the hon Member should persist in putting his Question.

Dr. KENEALY: Unless my Question is answered, I shall bring the communication I received from you, Sir, before the House, either as a Breach of Privilege, or on a Motion for Adjournment, because I am not prepared to acquiesce in the doctrine that—— ["Order!"]

Mr. SPEAKER: The hon. Member is not entitled to raise a debate.

Dr. KENEALY apprehended that, on a question of Privilege, he was entitled to bring the whole facts before the House. He should, therefore, do so, because he contended that no one had a right to interfere with the freedom and independence of Members of the House who, upon their own responsibility, put Questions of an important nature upon the Paper. He should, therefore, treat the matter as a Breach of Privilege, and conclude with a Motion. He wished to state, that it was of great importance in the minds of many people that——

The CHANCELLOR of the EXCHEQUER: Sir, I rise to Order. I was not at all aware of what had occurred, and I do not now understand precisely what the point is; but, what I understand the hon. Member for Stoke to be doing, is to be calling upon the House to challenge a decision of yours. I think that that would be a course entirely out of Order.

The Marquess of HARTINGTON: Upon the point of Order, it appears to me to be extremely doubtful whether it is competent for the hon. Member to treat as a question of Privilege a decision which has been given from the Chair. I apprehend that he has incorrectly described the point, which he wishes to bring before the consideration of the House, as one of Privilege at all.

Lord ROBERT MONTAGU: Is it not one of the Orders of the House, that if any Member desires to controvert your decision, he is bound to give Notice of his intention to do so, and not raise the question without previous Notice?

MR. SPEAKER: If the hon. Member desires to challenge the decision of the Chair, it is open to him to bring the matter forward in a regular way.

DR. KENEALY said, that being so, he should, on the earliest opportunity, move—

> "That it is a high Breach of the Privileges of this House to obstruct in any way the freedom and independence of any Member of Parliament in putting Questions to Ministers upon his responsibility and in the execution of his public duty, such Questions being framed in decorous language and having for their object to elicit information on matters of public interest."

MR. GLADSTONE: I venture respectfully to ask, whether that Notice itself, or any debate arising upon it, can be treated as a question of Privilege, so as to have precedence of other Business? In my opinion, it is a Question upon the Rules and Procedure of the House, and must take its course in the regular way.

MR. SPEAKER: Undoubtedly, a Motion of the character of that of which the hon. Member has given Notice, could not take precedence of the other Business on the Paper.

DR. KENEALY: Then, I shall bring the matter forward on the Motion to go into Committee of Supply on the earliest possible day in next week.

INDUSTRIAL SCHOOLS (IRELAND).
QUESTION.

MR. O'REILLY: I beg to ask the Chief Secretary for Ireland, On what principle, and by what rule, he determines the number of children to be paid for by the Treasury in a new industrial school, when the number depends on his certificate?

MR. J. LOWTHER: Sir, the number depends on the capacity of the school, and on the amount of the fund—placed by Parliament at the disposal of the Irish Executive for industrial schools—which may at the time be available.

THE EASTERN QUESTION—RUSSIA AND ROUMANIA.—QUESTION.

MR. W. CARTWRIGHT asked the Under Secretary of State for Foreign Affairs, Whether it is possible to supply the date to one of the very important Papers enclosed in Sir Henry Elliot's despatch of April 3, which had been presented to the House that morning?

MR. BOURKE: The despatch speaks for itself. It bears no date.

THE QUEEN'S COLLEGES (IRELAND)—THE IRISH LANGUAGE.—QUESTION.

MR. O'CONNOR POWER asked, What sums have been granted to the Queen's Colleges, Ireland, for the purpose of encouraging the study of the Irish language; whether they were applied to the purposes named; and, if so, with what results?

MR. J. LOWTHER: Sir, I find that there are no Professorships of the Irish language in any of the Queen's Colleges, nor do I think that it would be an easy matter to find occupants for the chairs if any such existed. I do not find that any sum of money is being handed over to the Colleges for the purpose of instruction in the Irish language.

PARLIAMENT—ORDERS OF THE DAY.
RESOLUTION.

Ordered, That the Orders of the Day subsequent to the Order of the Day for receiving the Report from the Committee of Ways and Means be postponed until after the Notice of Motion for leave to bring in a Bill for establishing a Code of Indictable Offences.—(*Mr. Chancellor of the Exchequer.*)

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

LOCAL GOVERNMENT AND TAXATION IN LONDON.—RESOLUTIONS.

SIR UGHTRED KAY-SHUTTLEWORTH: I rise, Sir, to call the attention of the House to the state of Local Government and Taxation in London, and to the need of a measure extending to the Metropolis the benefits conferred on other cities and towns by "the Municipal Corporations Act, 1835," and to move the first of the Resolutions of which I have given Notice—

"(1.) That, in the opinion of this House, the present state of Local Government in London is unsatisfactory, and calls for reform. (2.) That the whole Metropolis should be united under one administrative authority, directly representing the ratepayers, and so constituted as to command general confidence. (3.) That these conditions are not fulfilled under the present system of administration, partly by Vestries and District Boards, partly by the Metropolitan Board of Works, partly by Companies trading in Water and Gas, while the functions of the Corporation are confined within the narrow limits of the City. (4.) That the ancient Corporation of the City, if extended over the Metropolis, and remodelled in accordance with present wants, would best achieve the purposes of a Municipality for London. (5.) That this reform shall be undertaken by Her Majesty's Government without delay."

Sir, the first words which I desire to utter, in calling the attention of this House to so large a question, are to the effect that I am not so sanguine as to suppose that this is a subject which can be dealt with, or legislated upon, by any private Member. The object which I have set to myself, in inviting the attention of the House to this question, is rather to pave the way, as a pioneer, for the Government, at the earliest possible moment, to deal with it themselves. And I would remark, that I regard this as not a mere local question to be taken up by the Metropolitan Members, but as a great national question. Moreover, the Metropolitan Members labour under a peculiar disadvantage, which renders it difficult for them to bring this subject before the House. When the late Mr. J. Stuart Mill, in successive years, very ably called attention to this question, he had experience of this disadvantage. I, therefore, think it is desirable that some Member, who is unconnected with the Metropolis, should attempt the task. But, in asking the House to give me its attention, while I endeavour to justify this Motion, I am conscious of the impossibility of adequately presenting to the House a question of such magnitude and such complexity. Before I enter into details, let me say, in a few words, why I think that this subject is ripe for treatment, and why I think there is no real obstacle to its being taken up by the Government without further delay. The late Government were pledged to deal with it. Upon different occasions, different Members of that Government, and especially their Home Secretary, Lord Aberdare (then Mr. Bruce), pledged themselves to deal with it. This House also committed itself to the principle that legislation was necessary, by giving a second reading to the late Mr. Charles Buxton's Bill, in 1870, by a majority of 64. On the same occasion, also, two Members of the present Government—namely, the noble Lord the Postmaster General (Lord John Manners), and the right hon. Gentleman the First Lord of the Admiralty (Mr. W. H. Smith), appealed to the then Government to legislate on the subject. And further, in the Election Address of the right hon. Member for Greenwich (Mr. Gladstone), which was the manifesto of the Liberal Party at the last Dissolution of Parliament, the question of municipal reform for London occupied a very prominent position. Another strong argument in support of this view, may be derived from the action of the present Ministry in relation to the Metropolitan Board of Works, one of the most important bodies at present charged with the administration of municipal affairs in London. On several occasions Her Majesty's Government have declined to impose additional duties, in respect of changes essential to the interests of the people of London, on the Metropolitan Board of Works. That body now has Bills before this House for taking into its own hands the water supply of London; but the right hon. Gentleman the Chancellor of the Exchequer has intimated that the Government cannot support the proposal—a further proof that we ought no longer to delay municipal reform. I would ask whether the House is aware how very inconvenient the present territorial divisions of the Metropolis are? I may illustrate the case in this way. Let me suppose that an hon. Member wished to go in a straight line from Hammersmith Bridge to a point a little beyond Covent Garden. He would first pass through the vestry districts of Hammersmith, Fulham, and Kensington; then through that of St. Margaret's, Westminster; he would touch Kensington again, and Chelsea at Knightsbridge; from those vestry districts he would pass into that of St. George's, Hanover Square; he would skirt St. Martin's-in-the-Fields at the Green Park, then enter St. James's Vestry district; he would get back to St. Martin's-in-the-Fields, at Coventry Street; next, he would pass into St. Ann's, Soho; he would enter St. Martin's-in-the-Fields for the third time at

St. Martin's Lane; he would reach at Covent Garden the Strand district; and would find himself back again in the district of St. Martin's-in-the-Fields at Drury Lane. I will take another illustration. I will suppose that an hon. Member wished to go from Old Palace Yard, first to the Horticultural Gardens, and then, say, to Kensal Green Cemetery. He would pass first through the districts of St. John's, Westminster, St. Margaret's, Westminster, St. George's, Hanover Square, Chelsea, and Kensington, when he would come back to St. Margaret's, Westminster. In his walk from the Horticultural Gardens to Kensal Green Cemetery, he would pass through the vestry districts of St. Margaret's, Westminster, and Paddington, enter Chelsea again near Kilburn; and, on finally reaching Kensal Green, find himself in Kensington again. I think I need scarcely illustrate further the absurdity and intricacy of the present system of vestry districts; but there are not only these vestry districts in London, there are a vast number of other territorial divisions crossing and differing from each other. There are, for instance, the water districts, the gas districts, the police districts, the county court districts, besides many others. Mr. Charles Buxton, in describing this tangled web of Metropolitan areas and jurisdictions, remarked that it reminded him of Dr. Johnson's famous definition of the meaning of the word "network"—namely, "a decussated reticulation, with interstices between the intersections." Parodying Milton, I may thus describe the present state of London—

"With district upon district, board on board,
Confusion worse confounded."

Then, as to the mode of electing vestrymen, I believe few persons know how the members of the vestries are elected. Two or three years ago, an Edinburgh reviewer described how the elections were often held in the public-houses. Now they are more frequently held in vestry halls. No notice, however, is given of the elections, except on the church doors, and very few people attend; there are seldom 50 present, out of several thousands of ratepayers. Once, a populous vestry issued 3,000 notices to the ratepayers; but there attended at the election only the vestry clerk, one churchwarden, one rate collector, and three vestrymen—and those persons elected the vestry. If a poll is demanded, it is taken on the next day; the inhabitants know nothing about it, and a very small number vote. The greatest indifference is shown by the public as to the vestry elections, that indifference being no doubt due, in some measure, to the smallness of the functions of a vestry as compared with a town council. Dr Rendle stated, in his evidence before Mr. Ayrton's Committee, that he was elected a vestryman by 10 or 12 persons; but, that for the same district, he was elected a member of the board of guardians by over 1,200 votes. The work of the vestries, in regard to drainage and street control, is done almost entirely by surveyors, although it is engineers' work. Instead of uniting together for this purpose, and employing a competent engineer, each vestry has its own surveyor, at salaries varying from £27 10*s*., as in the case of St. George's in the East, to £400 in the case of Kensington. Their work is done upon various systems and at various prices; the sewers are made of various diameters, a large sewer sometimes running into a small one; there are no sub-ways in which the gas and water pipes, and the communications with the sewers, can be collected together. I find that, in the 10 years betwen 1861 and 1871, no less than 635 miles of streets were added to London by the building of nearly 150,000 new dwelling-houses; and it was left to the vestries, with their surveyors at low salaries of £27 10*s*., and the like amounts, to settle how the arrangements of those new streets should be made. Of course, if these bodies could combine together, and adopt a good system, they might buy granite cubes, gravel, York stone, and other materials in large quantities, whereby great economy would be effected. They might also employ gangs of men who would do the work in one-sixth of the time now occupied in operations which at present block the road and impede the traffic for long periods. Then, as regards the watering of streets, I find by an examination of the reports of all the vestries in London, that this process is conducted on the most various systems, and at a cost per mile for water, varying from £11 at Whitechapel, to £55 at Lewisham, and at a cost per mile for carting, varying from £19 at Mile End to £70 at St. Martin's-in-the-Fields. I hope we shall some day see a system of watering the streets of London adopted, by which the water carts, or "hydrostatic vans," as they are absurdly called, will be superseded, and hydrants used, as in Paris, in their stead. There is also a great difference in the cost of the street-lighting in different districts. For example, in Marylebone, it amounts to £228 per mile, and to £94 in Bethnal Green. This means, that badly as the streets of London, as a whole, are lighted, the poorer districts are especially neglected as regards light. I may mention here a fact, told me by Miss Octavia Hill—namely, how a wonderful improvement was produced in a low court in London, merely by the introduction of a gas lamp; and if the lighting of Bethnal Green were improved, no doubt, great benefits both moral and material would be conferred on the inhabitants. Again, the removal of dust is very badly managed, and conducted on different systems in different parts of London. Some of the vestries have begun to do it for themselves, whilst most do it by contract; and there is a very great contrast both as to cost and as to the manner in which it is done, between the case of Islington, which does the work for itself, and that of the vestries who contract. The probable cost of the remôval of dust in London is about £130,000 a-year, of which at least £40,000 might be saved by better arrangements. There exists no system either as to dust-bins or as to the hours of clearing them; one may hope that the time will come, when, instead of the dust carts coming round in the middle of the day, when people's windows are open, and valuable furniture is exposed to the dust, and carriages are driving past, and the dust is flying in people's eyes, we may have tubs of dust carried away at night, so as to cause the least inconvenience to the public; I also trust that we may have this operation done at regular and more frequent intervals. It is difficult to ascertain what are the establishment expenses; but, from the reports of various vestries, I find that the salaries and collectors' poundage might be largely reduced by the adoption of a combined system for the whole of London. The Local Taxation Returns give the salaries and the collectors' poundage as amounting to a total of £107,750, or a sum for the London vestries alone equal to one-fourth of the whole amount of the same charge for all the rest of England and Wales. In order to show how many functions are cast upon these vestries, and how great is the work entrusted to them, let me state to the House, as far as I am able to ascertain it, what is their total expenditure. Exclusive of the poor rates, and exclusive, also, of the precepts of the Metropolitan Board of Works and of the School Board, I make the total expenditure of the London vestries to be about £1,610,000. For the year 1875-6, according to the Local Taxation Returns, they were £1,851,116. But I will leave the vestries for the present, in order to speak of the Metropolitan Board of Works. This Board, as the House may probably be aware, dates from the passing of the Metropolis Local Management Act of 1855, when that body was appointed, principally to conduct the main drainage of the Metropolis. Before I make some of the remarks which I shall have to offer about the Metropolitan Board of Works, let me say that I am bound to admit that a more industrious body of men was never constituted by Parliament. They are only 46 in number, and they have cast upon them many additional duties beyond those for which they were originally appointed. These duties they have performed, in many respects, very well, and there is no doubt that London is in a far better condition now, especially with regard to its drainage and its Thames Embankment, than it was at the passing of the Act of 1855. But, let us consider how this Board is composed. It consists, as I have said, of only 46 members; three of them are taken from the common council, 12 from the six larger vestries, 17 from 17 smaller vestries, 13 from 15 different district boards; and the Chairman, who may be chosen from outside their own body, is elected by the Board. My hon. and gallant Friend opposite (Sir James M'Garel-Hogg), the present Chairman, was for some time a member of the Board before he became Chairman. He now sits, however, not by virtue of having been returned by his vestry, but as an additional member of the Board. Now, the members of the Metropolitan Board of Works, who, as I have said, are a most industrious body of men, constantly seek re-election, although they must attend committee meetings three times a-week, and sometimes more often. The vestries seem never to change their representatives at the Metropolitan Board of Works; the electors of that Board are vestrymen; and vestrymen, as I have already explained, are elected at hole-and-corner meetings, and cannot be regarded, on that ground, as representing the ratepayers. Therefore, the Metropolitan Board, being indirectly formed, through the vestries, can still less be said to represent the ratepayers. Indeed, it has been said by some mathematician, that the Metropolitan Board of Works is merely "a vestry vestrified to the *nth* power." Let the House consider what the effect of this system of indirect election is. It might be that a body was elected for the express purpose of electing another body. That has been sometimes done. There has been a very large constituency, and a small board has had to be chosen. The large number have elected a lesser number to act as electors. And this body, appointed *ad hoc*, has elected the board. That is a form of indirect election that I can understand. But that is not the mode of electing the Metropolitan Board. The electors of that Board are the vestries, who are appointed, not *ad hoc*, but for the various minute functions that I have mentioned; which make the office very attractive to small tradesmen, and especially to builders and surveyors. The vestries and boards have, consequently, a large infusion of those elements. It is these persons, elected for these small, local purposes, who are entrusted with the election of the Metropolitan Board of Works. Let us see, practically, by how many ratepayers individual members of the Board are elected? The member for St. Pancras, in which parish there are 22,000 ratepayers, was returned to the vestry by the votes of 74 ratepayers qualified as vestrymen to be electors; the member for Chelsea was elected by 15 votes, there being 5,288 ratepayers in the parish; and the member for the Westminster district was elected by 29. I submit that, since the passing of the Education Act, we have had a very good opportunity of comparing the results of direct and indirect election in the Metropolis. The members you get by indirect election are not nearly of so high a quality as you get on ordinary town councils, and they are not nearly of so high a quality as you get by direct election upon the London School Board. I have in my hand a comparison between the members of the Metropolitan Board, and the members of the School Board which proves what I have said. This Board of Works, so constituted, exercises limited municipal functions over a larger district than any other municipal body in the world; and yet I doubt whether nine out of 10 members of this House—or, I might say, 99 out of 100 householders in London—could, at a day's notice, and without inquiry, name their representatives on the Metropolitan Board. Hon. Members are completely ignorant as to those who so represent them. What is the reason of that? They know perfectly well who represent them on the School Board. Their ignorance of the members of the Metropolitan Board is the consequence of this vicious system of indirect election, which the hon. and gallant Chairman of the Board was so bold as to defend in the debate on the County Government Bill. What are the functions and powers of this Board of 46 of the members of which the householders know nothing? They spend £2,250,000 a-year. Each individual member represents on the average a rateable value of £500,000, and a population of 80,000. There is, however, the greatest inequality in the sizes and the rateable values of the districts so represented. For instance, the rateable value of the Kensington district is £1,287,000, and that of Woolwich £110,362. The disparity is more striking, when six large districts are compared with six small districts—there are six members, each representing a valuation close upon £1,000,000, and six who represent a valuation amounting to less than £200,000 a-piece. I must mention the large sums which the Metropolitan Board has spent under the authority of various Acts of Parliament. The Board began on a small scale, being practically formed to carry out the scheme of main drainage. On this £4,600,000 has been expended. Then came the Thames Embankment, on which about £2,500,000 has been expended. The Charing Cross and Victoria Embankment Approach cost at least £637,000. Street improvements, under special Acts, have cost £2,890,000, which may, perhaps, be reduced by re-sales of land, to about £2,000,000. These large figures will show the House that it really is an important matter to consider whether we shall go on heaping functions on this Board as at present constituted, whether we are to be content with a body indirectly elected in the way I have described, or whether we ought not to have a real municipal government for the Metropolis. Let me refer to the way in which the Board has treated Parliament on some important public questions—and not only Parliament, but the ratepayers, whom the members of the Board are supposed to represent. Take a case which occurred last year. The President of the Local Government Board desired to consolidate a dozen Statutes relating to public health in the Metropolis. There was nothing new in the Consolidation Bill, but what was thoroughly approved by the Board and other local authorities. But it appeared that there were some things in the existing Statutes, of which the Metropolitan Board and the vestries did not approve; but, on that account, although the Bill was only a Consolidation Bill, designed to substitute one Statute for 12, they opposed the progress of the Bill and prevented it being passed. For that reason, these 12 Statutes still contain the law which, but for this opposition, might have been embodied in one. Under the Acts relating to water supply, the Metropolitan Board has power to call upon a company to give a constant supply and to put hydrants in the streets for the better protection of life and property against fire. Having carefully examined the evidence taken by the Fire Brigade Committee, which sat during two Sessions, I am bound to say I think the water companies have shown more public spirit about a constant supply and about hydrants than has the Metropolitan Board. It has not exercised its power of calling upon them for a constant supply; but, when application was made to the Metropolitan Board on behalf of companies for information as to what hydrants the Board wished to place on the mains, the Board put every obstacle in the way of the companies, and asked them to withdraw the notice they had given. Eventually, one company put down hydrants in the streets, at the same time charging the mains with a constant supply of water. It had previously informed the Board that it would do this and would send the bill for the hydrants to the Board, to which the Board replied that if the bill were sent in, it would not be paid; but the company did its duty, fixed the hydrants, and sent in the bill, and the Board had to pay. A very long story might be told in reference to gas supply. Under seven Acts of Parliament the Board is invested with powers relating to gas, and is thus recognized as the representative of the ratepayers and the protector of the public interests. How has the Board acted with regard to Bills before Parliament? There was an Act of 1860, for which the Metropolitan Board had to pay, which resulted in great profits to the companies, so much so that, in 1866, the companies had declared dividends of about 10 per cent. One company, the Imperial, charged respectively 4*s.* to private consumers and 3*s.* 7*d.* and 2*s.* 11½*d.* to different parishes per 1,000 cubic feet, for precisely the same gas. In 1866, the Corporation of London, with much public spirit, introduced a Bill to enable them to manufacture gas and to supply it to the City at a maximum charge of 3*s.* per 1,000. This Bill, which was read a second time by 219 against 193, and also one which was introduced to enable the Metropolitan Board to purchase the companies' works and plant, were opposed by the Board. The companies, in 1867, opposed a Board of Trade Bill to limit the price of gas to 3*s.* 6*d.* The Committee, over which Mr. Cardwell presided, reported that the legitimate weapon to resort to in order to reduce the price, was the enactment of an independent supply; and, unless the companies should come to reason, the Committee recommended that every facility should be afforded to the local authorities to undertake an independent supply; and the Committee invited the Corporation and the Metropolitan Board to bring in Gas Bills, to invest them with power to compete with the companies. The Corporation followed this advice, but the Metropolitan Board rejected it. It was left to a private individual whom everyone must mention with respect when advocating Metropolitan reform, Mr. James Beal, to prepare a Bill, which was offered to the Metropolitan Board, who declined to take it up. That Bill, however, jointly with the Corporation Bill, came before a Committee, and legislation ensued by which the district of the company supplying the City alone benefited; and the Metropolitan Board, having opposed the Bill in Committee, had the audacity, in their annual report, to refer to the measure which was passed as one which had conferred important advantages upon the consumers of gas in the City. The result was a saving to the City of £82,500, a benefit which, by public-spirited action on the part of the Board, might have been extended to the rest of the Metropolis. I now come to another point, which is well worth the attention of the House, as an argument in favour of an alteration in the government of the Metropolis and in favour of unity of management. The Metropolitan Board, the City Corporation, the Thames Conservancy, and the Lea Conservancy, all spend the ratepayers' money in fighting before Parliamentary Committees—that is, they spend rates against rates in Parliamentary contests which have cost London untold sums. It is perfectly impossible to ascertain all that has been so expended, although I have searched through many accounts. It cannot be the interest of the ratepayers, that rates should be spent against rates; this money is expended in consequence of rivalries and jealousies, and different views of what is necessary for the good government of London. I have been able to arrive at some partial results as to the amount that has been spent in this way within the last few years, and I think the figures will be interesting to the House. The expenditure in gas fights before Parliament during the 10 years from 1857 to 1867 was no less than £104,870; and of that sum about one-half was spent in two years. These figures I obtain from a Return moved for by the hon. Baronet the Member for Finsbury (Sir Andrew Lusk) and Mr. Wilde in 1867; and it is incomplete, because all the accounts were not really furnished. From the Local Taxation Returns, I find that the gas supply has been placed in the hands of a majority of the urban sanitary authorities, and with very great advantage to the ratepayers. In Manchester they make a great profit out of gas. In the five years ending 1876 there were expended by the Metropolitan Board of Works alone in Parliamentary contests relating to Metropolitan Bills, the following sums:—Gas, Water, Railway, and Tramway Bills, £14,290; Miscellaneous, £26,480; making a total of £40,770. To summarize what I have already said, I may say that London is governed by the vestries and a vestrified vestry. These spend about £4,000,000 of the ratepayers' money between them, and this exclusive of the poor rates. They are elected in a corner, and their proceedings are modestly hidden under a bushel. They fight with the ratepayers' money against the Gas and Water Companies, whose weapon is the consumers' money. The Metropolitan Board of Works and the Corporation of the City of London fight against each other, and this friction and collision costs the ratepayers many thousands of pounds a-year. The Metropolitan Board of Works, in carrying out their various functions, have shown a want of public spirit, a disregard of Acts of Parliament, and a carelessness of the interests of the ratepayers, especially in the matters of gas, water, and street improvements. They have also shown a great disregard of the recommendations contained in the Reports of Select Committees. It had been well said by someone engaged in administration in London—"Fearfully and wonderfully are we made, and still more wonderfully are we governed." A Member of the present Government once said—although not very recently—that London was the best governed city in the world. In reply to that, I would ask whether anyone would seriously propose to inflict such a chaos of parochial and vestry government as we have in the Metropolis upon any other city or town in England, or on the Continent? And why should we make the municipal government of London an exceptional one? We have heard a good deal during the last few months about automony for the Provinces of Eastern Europe; I should like to see autonomy given to London. It has also been said that London is a very healthy city, and that its death-rate is low. That may be true to some extent—partly, doubtless, owing to its position—but might it not be made lower still? The death-rate has remained unaltered for the last 20 years; it has not been reduced by the action of the vestries, or of the Metropolitan Board of Works. If any hon. Member doubts whether the health of the Metropolis can be further improved, let him consider a few points. First, as to our water supply. I would refer to Dr. Frankland's last annual report, for which I moved the other day, and which is in the hands of hon. Members. Then as to gas. Let us compare the pure cannel gas supplied to this House, or the gas supplied to Paris and many cities, with that which we see in our streets, and we shall see at once how much our interests are neglected in this respect. Many hon. Members may not have visited the courts in the lowest parts of London. There are miserable courts in which there is but one standpipe for water, and one gas lamp, and one privy. In such a state of things how can anyone boast that London is the most healthy city in the world? Many of the worst of these places have been pointed out to me as the property of vestrymen. In such cases, the medical officer of health has often been restrained by fear of those who are his employers from ordering the houses to be either shut up or pulled down. Then we all know of the unfortunate condition, in time of floods, of that part of the population who live in the low districts on the South side close to the river. After great delay, the hon. and gallant Gentleman opposite has to-day given Notice of his intention to bring in a Bill for the prevention of Thames floods, and I am glad to hear that his Board has at length taken this first step. I have said enough to dispose of the allegations that London is, after all, a healthy city, and that it is the best governed city in the world. Mr. Stubbs, in his *Constitutional History*, describes the ancient state of London, which seems in its childhood to have been a chaos. Mr. Stubbs says—

> "At the time of the Conquest, London, with its port-reeve and bishop, the two officers who seem to give it a unity and an identity of its own, is only a bundle of communities, townships, parishes, and lordships, of which each has its own constitution."

London has seen better days since then, but I am afraid that it has returned to that state of childhood—a bundle of communities—at the present time. Having explained the present state of London outside the City, I must now briefly glance at a few of the proposals which have been made at various times for the reform of the London government. One of these proposals was that the Metropolitan Board of Works should retain the functions it now exercises, but that its members should be directly, and not indirectly, elected. That proposal was put forward by the Select Committee over which Mr. Ayrton so ably presided in 1861, which sat to consider the subject of Local Taxation. That Committee reported that—

> "Greater authority would attach to its deliberations were its members elected directly by the ratepayers of the Metropolis."

That was but a timid and an inadequate proposal, which I venture to say would, therefore, not be popular, and which would excite the opposition of the City, on the ground that it would be raising up a strong body, compared with the present Metropolitan Board of Works, outside of the City boundaries. May I be permitted to quote from an article on this subject, which appeared in the leading journal a short time ago? It said—

> "We are profoundly sensible that the whole system is a makeshift, and becomes more unsatisfactory every year. . . . . No scheme for altering the mode of electing the Metropolitan Board will command attention unless it also includes a scheme for the general reform of the local government of the Metropolis."

A Bill introduced by Lord Camperdown this year in "another place" to alter the mode of election of the Board of Works was defeated by a majority of 18. There seemed to be a growing conviction that nothing short of real municipal government for London would answer. Mr. Mill, speaking in this House in support of his Bill, on the 5th of May, 1868, laid down the principle on which any change in the existing system must be founded—

> "It was a national principle that a great part of our administration should be local, and the constitutional mode of giving local government to different parts of the country, especially to towns, was by means of municipalities. Now, London had the benefit of a municipality in that which was originally the whole of its extent—the City proper. With that exception, the local government of the Metropolis was a parish government."—[3 *Hansard*, cxci. 1860.]

Now, Sir, I do not think that anyone will deny that Londoners are as worthy of municipal government as any other part of the community. The advantages of municipal government are now admitted upon all hands. Perhaps, in the year 1835, there may have been some contention on the subject; but there is no longer any room for it. It is an ancient saying of the people of London, as I find from the history I quoted just now, that, "come what may, the Londoners should have no King but their Mayor;" and, if the hon. and gallant Member opposite wishes to be the supreme ruler of London, there is no course open to him but to become its Lord Mayor. I have no doubt that the hon. and gallant Gentleman will dissent from this sentiment; but I should like him to give me his attention, whilst I read to him what was the opinion on this question of his predecessor and of some of his present colleagues. I was fortunate enough, only yesterday, to drop upon the Report of the Special Committee of the Metropolitan Board of Works, dated the 31st of March, 1870. I am afraid that he will not concur in this Report, but it reads thus—

> "Your Committee have to report that they have proceeded on the resolution of the Board, referring to them for consideration the Municipal Boroughs (Metropolis) Bill, the Corporation of London Bill, and the County of London Bill. Your Committee have, in the first instance, considered the question of the future government of the Metropolis in its general aspects and, as the result of their deliberations, they have to report their opinion, that it is desirable that there should be one central municipal government, with jurisdiction over the whole Metropolis; and that there should be a re-adjustment of the districts into which the Metropolis is at present divided for the purposes of local government."

That Report, I may inform the hon. and gallant Gentleman, is signed by the Chairman of the Board, Sir John Thwaites, Mr. William Newton, Mr. Francis H. Fowler, and Mr. Charles Roche. Thus, we have it admitted by the Committee of the Board in 1870, that we must have a real municipal government for London. And here I must mention what were the proposals of the Commission of 1853-4. People are under the idea that the Metropolitan Board of Works fulfils what was recommended by the Commission of Mr. Labouchere, Sir James Patteson, and Sir George Cornewall Lewis in 1854. It is nothing of the kind. Their proposals were—first, the reform of the Corporation; secondly, the division of the Metropolis into municipal districts, each possessing a municipal government of its own; and, thirdly, the creation of a Metropolitan Board of Works, to be composed of a limited number of members, deputed to it from the council of each Metropolitan municipal body, including the Corporation. The first and second of these proposals were not carried out, and the Metropolitan Board of Works, instead of representing these municipal bodies, represents the old vestries. I see that the hon. and learned Member for Salford (Mr. Charley) has given Notice of an Amendment, by which it appears that he would have a number of municipal districts, and would leave the City of London alone. I doubt, however, whether that scheme would be better than the present chaos; and the principle of such proposals has been condemned beforehand by the late Sir Robert Peel, who, in the debate on the Corporation Bill in 1835, said that he thought it

> "much better to place towns under the exclusive control of a corporate authority, invigorated and adapted to their present state of society, than to leave the ancient Corporation precisely where we find it, devolving at the same time all real power and almost all the functions of administrative authority upon some new body consolidated on a different and more popular principle. This would be a virtual supersession of the ancient Corporation—a virtual extinction of the power for the exercise of which it was originally intended."

Though, no doubt, the hon. and learned Gentleman who has an Amendment on the Paper would make his proposals—if the Forms of the House permitted him to do so—in the interests of the Corporation of London, he would, if his plan were adopted, be taking a course which would raise up bodies that would be in constant antagonism to the City, and perhaps to each other, and there would be no peace for London and its inhabitants. Some may think that even that would be better than the existing state of things, and I, for one, have no wish to speak harshly of any scheme of municipal reform; but let me ask the House to bear in mind the recommendations of the Municipal Corporations Commissioners in 1837. I may say, that before referring to those recommendations, that London would have been dealt with in 1835, if the Commissioners had reported on London before that time; but their Report was not issued until 1837, after Parliament had passed the Bill referring to municipal corporations in other parts of the country. When issued, the Report recommended that London should be dealt with in precisely the same way in which the Act of 1835 had previously dealt with the rest of England. The Commissioners criticized beforehand the proposal which is about to be made by the hon. and learned Gentleman the Member for Salford. They said—

> "We hardly anticipate that it will be suggested for the purpose of removing the appearance of singularity, that the other parts of the town should be formed into independent and isolated communities; if, indeed, the multifarious relations to which their proximity compels them would permit them to be isolated and independent. This plan would, as it seems to us, in getting rid of an anomaly, tend to multiply and perpetuate an evil."

One argument, which is used against a proposal of the kind I am now asking the House to approve is, that it would introduce politics and Party feeling into municipal government. My own opinion is, that there would be much more danger of political and Party feeling in municipalities identified with the areas of Parliamentary boroughs—where the elements of Party contention already exist—than in a municipality for a much larger area. I may, also, quote the authority of my right hon. Friend the Member for the University of London (Mr. Lowe), who once reminded the House that "the principle underlying municipal government is consolidation. You have," he said, "to get rid of an infinity of small Boards, consisting of an inferior class of persons, and concentrate attention on the election of one large and better constituted Council." *The Times*, writing on the 17th of October, 1874, put the case thus—

> "Whatever may be the plan adopted, it is certain that by some means or other the whole of London must be brought under the same government. We have already too long suffered from the necessary want of unity and co-operation between the two bodies which administer our affairs. It is time, now, that this was at an end; and it can be ended only by the creation of one municipal government for all London, under which London may take worthily the rank to which she is entitled."

What I should like to see would be a system under which we could get the best men to conduct a municipal government of great dignity and authority and ancient standing. Now, Sir, I come to a more courageous and workable proposal, which I think was first placed before this House by my hon. Friend the Member for Southwark (Mr. Locke). He made more than one speech in this House on the subject; and I would venture to quote a passage from what he said on the 21st of May, 1867—

> "He (Mr. Locke) had a plan to suggest. It was that the Lord Mayor should remain the head of the City as now; that the Metropolis should be divided into wards, each having an Alderman and each sending members to the Common Council; and that the Corporation of the City of London should thus administer the municipal affairs for the whole Metropolis. This was no novelty, for in olden times the Corporation was in the habit of adding to itself by taking in surrounding districts, which then became component parts of the City of London. . . . . His views were coincided in by the City Chamberlain, who had given evidence to that effect before the Committee."—[3 *Hansard*, clxxxvii. 888-9.]

I may also remind Her Majesty's Government that the present First Lord of the Admiralty (Mr. W. H. Smith) followed in the same debate, and said that he took a view similar to that which had been expressed by the hon. Gentleman the Member for Southwark; so that I shall claim the vote of the First Lord of the Admiralty, if the hon. and learned Gentleman opposite compels us to go to a division. The House may ask what was the nature of the evidence given by the Chamberlain of the City of London, to which my hon. Friend the Member for Southwark alluded in his speech in 1867? The evidence will, I think, be found both interesting and important. He described how the ancient City was about one-third of the magnitude of the extended City; how the out-wards were added by Charter; how, in the time of Edward VI., Southwark was formed into the out-ward of Bridge Street; how it was, owing to the jealousy of the Tudor and Stuart Kings of the growing favour of the City, that the growth of the City and the erection of new buildings was checked; how it was, that in later times, the City had followed the short-sighted policy of not taking in surrounding districts; and how there had grown up that confusion, that conflicting jurisdiction, and that diversity of administration which existed now in the Metropolis, and which it was very desirable should be remedied. The Chamberlain then proceeded to state his view as to what ought to be done. He said—

> "I am of opinion, having looked at the subject very carefully and particularly for the last few years, that the only remedy for that con-

> fusion is to apply to London the principles which Parliament has applied to the provinces in England and Wales—that is to say, that where there is a large aggregation of persons forming an urban population, municipal institutions should be extended to them. I believe it is the opinion of Parliament that those institutions have worked satisfactorily in provincial towns, and I can conceive no reason why London should not enjoy the same advantages which are accorded to Manchester, Liverpool, Glasgow, and all the other large towns of the Kingdom. If there is any difference in principle between the towns, it is in favour of London and not in favour of the provinces."

These are the views of one of the most experienced and trusted officers of the Corporation of the City of London. I do not know how far I can go in referring to the present views of the Corporation; but I believe they are now much more nearly coincident with those of the Chamberlain than they were some little time ago; and that there has grown up within the Corporation of the City a conviction that the time is coming when it must put itself at the head of the movement, and confer the benefits of good municipal administration upon the whole of the Metropolis—and fulfil, in fact, the destinies for which it was originally designed by the Charter of William the Conquerer. The Municipal Commissioners, in 1837, recommended this development of the Corporation in the following emphatic terms:—

> "We do not find any arguments on which the course pursued with regard to other towns could be justified which would not apply with equal force to London, unless the magnitude of the change, in this case, should be considered as converting that which would otherwise be only a practical difficulty into an objection of principle. We have pointed out how small a proportion of the Metropolis is comprehended within the municipal boundary. We are unable to discover any circumstance justifying the present distinction of this particular district from the rest, except that, in fact, it is, and has long been, so distinguished."

Well, now, Sir, how would such a great municipality work? Instead of the same functions being performed by different bodies in various parts of the town, one committee of the Corporation would undertake the management of the streets; another would undertake the drainage; another would see to the watering of the streets; there would be one committee for gas and another for water; you would have a large body of from 200 to 300 persons, instead of a Metropolitan Board of Works, numbering only 46, and the vestries performing municipal functions, each in its own district. The Corporation would, in short, do for London all that provincial corporations do for their own municipalities. They would employ first-rate officers instead of the mere surveyors now employed; they would do everything on an uniform, and that the best system; and not the least of the advantages that would arise from a great municipal government for London, with the Lord Mayor at its head, would be that, instead of having the markets confined within the narrow limits of the City, markets might be established in different localities in the Metropolis—a reform which, in itself, would be an inestimable boon to the poorer classes. As far as I have been able to ascertain, there is but one formidable objection which has been made to this proposal. There is a dim shadowy dread as to the size of this Municipal Corporation, and a fear that it would meddle with politics. ["Hear, hear!"] That is evidently the opinion of some hon. Members of this House, and I would ask permission for a moment or two to attempt to deal with the objection. I admit that a great municipality would be much more powerful, and much more independent, than a smaller one; but, surely, that fact would be a great advantage to London. In other places, we find that the bigger municipalities are, the better they are; and that the only municipal bodies which do not work well, or against which something might be said, are the very smallest of them. Other municipal corporations are elected on Party lines; and I, for one, very much deplore the fact, that politics should be so very much mixed up with municipal elections; but when the Corporation comes to do the work for which it was elected, and to form committees for practical business, Party distinctions are forgotten, and it does its work exceedingly well. I might refer to the case of the London School Board, a body which is elected to perform most important functions, and elected, too, unfortunately, as I think, on Party lines; but no one will say that the members of that Board do not work harmoniously and efficiently together, both as a whole body and in the committees where most important business is transacted. Another form of the same objection to the scheme is, that the Corporation would have to deal with too large a district. In answer to that, take the case of the Metropolitan Board of Works. It has not failed, because of the size of the district which it has to cover. It has been able to construct the main drainage works, to make the Thames Embankment, and to perform all the other functions entrusted to its care. If it has failed at all—and I think it must be admitted that it has—it has failed because of its want of position, its want of representative authority, and its smallness of size in a numerical point of view. In fact, too many duties are thrown upon a small and feeble body; and 46 men are expected to do the work of 200. I might, in answer to the bugbear, which the hon. and learned Gentleman, who is about to speak in reply to my proposal, is evidently going to set up about the danger of a great Corporation, a sort of *imperium in imperio*, and so forth, quote Earl Fortescue, who, as Viscount Ebrington, spoke in this House, in 1855, against the establishment of the Metropolitan Board of Works. The noble Lord said—

> "There was a danger that the proposed local Parliament of 42 Members would discuss politics instead of sewerage questions, and threaten to overshadow the authority of the Speaker and that of the Imperial Parliament."—[3 *Hansard*, cxxxvii. 726.]

The unfounded alarm of Lord Ebrington about the Metropolitan Board of Works, and that of the hon. and learned Member for Salford, and those who think with him as to my proposal, may be of about equal value. But I am unwilling to treat this great bugbear very hardly. I would rather say of it, like Marcellus in the play of *Hamlet*—speaking of the ghost—

> "We do it wrong, being so majestical,
> To offer it the show of violence;
> For it is, as the air, invulnerable,
> And our vain blows malicious mockery."

Now, Sir, I have very nearly done; but, before I leave this subject, I would remind the House of the great relief which would result to Government Departments and to Parliament if my proposal were adopted. Those Departments are now doing work that ought to be done by a municipal government; and, if such a government were established, the inhabitants of the Metropolis would not be annoyed nearly as much as they now are by the interference of the Executive through the agency of the Home Office and the Local Government Board. There would also be a great amount of relief afforded to Parliament and to our Committees. We should not have fights from time to time over Bills introduced by my hon. and gallant Friend opposite (the Chairman of the Metropolitan Board of Works) for the transaction of what are purely vestry matters. Nor might it be necessary, if such a municipal government had existed, that it should ask for an Act of Parliament authorizing it to erect Cleopatra's Needle on the Thames Embankment. There are only two other questions on which it is necessary for me to touch—one is the question of the police. For myself, I see no pressing necessity for interfering with the existing arrangements, and I have not introduced into my plan any proposal which would have such an effect. One word, also, on the reform of the City Corporation. The hon. and learned Member for Salford seems to imagine that it would be possible to reform the government of London without touching the City. I can hardly suppose that many persons seriously share that view; and I distinctly put forward, as part of my proposal, the municipal reform of the Corporation of London. The Commission, to which I have already referred, reported in 1854, that—

> "Various changes have been made since 1837 by Acts of the Common Council; but no substantial or systematic reform of the Corporation of London has been accomplished, either by the Legislation of Parliament or by measures of the Common Council, since the presentation of the Report of the Municipal Corporation's Commissioners in the year 1837."

I will not now attempt to describe to the House how necessary it is that such reforms should be effected; but the House has heard that such reforms have been recommended by successive Commissions and Committees, and, indeed, by every man who has given any real study to the question. And now, Sir, I will conclude with two appeals. In the first place, I would appeal to the Corporation of the City of London to remember their ancient traditions and the part which they have taken throughout their history in various struggles for civil and religious liberty and popular freedom; and, remembering these things, now to take a course worthy of their ancient fame by putting themselves at the head of a movement which cannot but result in the greatest benefit to the population around them. And I would secondly appeal to Her Majesty's Government to seize the opportunity which the present temper of the City and the Corporation, together with the ripeness of the question for settlement and their own strength afford, and to deal with this great subject in a manner worthy of its importance and without delay. I beg, Sir, to move my first Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present state of Local Government in London is unsatisfactory, and calls for reform,"—(*Sir Ughtred Kay-Shuttleworth,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. CHARLEY, who had given Notice of a series of Amendments to the Resolutions, which he was prevented by the Forms of the House from moving, explained that the object he had in view was to show that there was more than one way of dealing with the matter, and that the direction that any reform of the local government of the Metropolis should take was by the creation of new municipal bodies outside the City, and not by the extension of the Corporation of the City to the rest of the Metropolis, which would entail its destruction, and also the destruction of many valuable institutions which had been for so many centuries associated with it. For, example, there was the Lord Mayor's Court. Did the hon. Baronet propose that the jurisdiction of that Court should be extended over the whole of the Metropolis? Again, there were the City Companies. Did the hon. Baronet propose to extend them over the whole Metropolis? The hon. Baronet had carefully avoided saying how he would deal with the property of the Corporation—whether he would spend it for the benefit of the whole of the Metropolis or not. That property was amply sufficient for the purposes of the City, but it would be wholly insufficient for the purposes of the Metropolis, and that splendid hospitality of the City which had earned us so much credit in the eyes of Europe would disappear. The Resolutions which the hon. Baronet had placed upon the Paper showed how easy it was for *dilettante* reformers to bring forward Resolutions of a destructive tendency, and how difficult for them to initiate constructive legislation. The result of the hon. Baronet's proposal, if carried into effect, would be, not to reform, but to deform the local government of London. It had been suggested that the Metropolitan boroughs should be grouped together and so formed into municipalities. It might be asked, what method of grouping did they propose? He was not in favour of grouping. A charter of incorporation should be conferred upon each Parliamentary borough in the Metropolis separately; and the effect of the reform which he advocated would be to infuse into the Metropolitan boroughs that public spirit which marked provincial municipalities, and was to a great extent absent from Metropolitan boroughs. While they would preserve the ancient Corporation of the City, they would create new municipalities which might rival it in the good services they might render to the cause of local self-government and of civil freedom.

Sir JAMES M'GAREL-HOGG said, he should not follow the hon. Baronet (Sir Ughtred Kay-Shuttleworth) into his wide field of antiquarian research, but would simply deal with the question as it affected the Metropolitan Board of Works. That Board was established in 1855, and he could not see in what respect the circumstances differed from those which obtained at the time of its establishment. The Board was formed, after very careful consideration, and in consequence of the sitting of a Royal Commission, whose Report was contained in the following passage:—

> "That portion of the Municipal Corporations Act which consists of an extension of the boundaries of the borough, so as to comprehend all portions of the town and its suburbs lying beyond the old limit, seems to us inapplicable to the case of the Metropolis."

The Commissioners concluded their Report by stating that, while they had abstained from recommending an extension of the boundaries of the City, by which it would include the entire Metropolis, they had proposed such an arrangement as would enable the Corporation to form a part of a general Metropolitan system. The Commission stated, in their Report, that the area of the City was about 723 acres, and of the rest of the Metropolis 78,029 acres. The population of the City in 1853 was 129,128, and in 1878 about 75,000, showing a decrease of about 55,000; while the population of the Metropolis was in 1853, 2,362,236, and in 1878 about 3,500,000, showing an increase of about 1,150,000. These figures showed that a much greater discrepancy existed between the City and the rest of the Metropolis now than when the Commission sat. He contended that during the period of 20 years or so—since which the Board had been entrusted by the Legislature with the municipal government of the Metropolis—it had always efficiently performed all the municipal work outside of the City of London, acting with the Corporation in the most kind and friendly spirit—the only rivalry between them being which should do the best for the interests committed to them. The hon. Member was quite right in saying that the Metropolitan Board of Works was a very industrious body. Last year the number of meetings of committees was 307, and the average attendance of the Board, out of a total of 46 members, was 38. That showed that they must have attended pretty closely to their work. The hon. Member had found fault with the mode in which the members of the Board were elected; but he (Sir James M'Garel-Hogg) was prepared, as he had done the other night, to defend the system of indirect election, and the very fact that the vestries elected the same men every year was a proof that they were satisfied with the manner in which the members of the Board discharged their duties. The hon. Member stated that the ratepayers did not attend to the election of the vestries; but if that were so, the ratepayers had only themselves to blame should incompetent or improper persons get upon those bodies. Speaking of the Board, over which he had the honour to preside, he considered it a great advantage to be surrounded by well-trained colleagues, who knew their work thoroughly, than by such untrained men as were likely to get upon the Board by direct election. He could not congratulate the hon. Member upon the comments he had thought fit to make upon the occupations of his colleagues on the Board. If they were butchers and bakers, the more credit was due to them for having raised themselves to a position of eminence. If men of high position and rank and wealth did not choose to direct their leisure and their talents to the public service, the discredit attached to those who did not do the work, and the credit was due to those who did it. The hon. Member had, however, forgotten to name, as members of the Board, the distinguished General who had commanded the English Forces in the Crimea, and the many eminent lawyers who had been or who were his colleagues. If the public did not choose to take the trouble of electing their vestrymen, the responsibility rested with them and not with the members of the Board. As regarded drainage, the hon. Member was utterly wrong in supposing that the Board had made large sewers to fall into small ones—the whole system being carried out upon scientific principles, under the supervision of the most eminent engineers. All he could say was, that when the Government of the day failed to carry out a sewage scheme, the Metropolitan Board of Works got theirs in hand within six months after they came into existence. With reference to the old dust system, for his part, he preferred the comparatively slight inconvenience of its collection in the day-time to being knocked up in the middle of the night, especially during the Session, when the House did not adjourn at particularly early hours. Respecting the water and gas, he was astonished that the hon. Member should get up in the House and prefer the indictment he had made. The Board had already one Bill before the House to enable them to have the control of the water supply; for they believed that what was good for Manchester, Birmingham, and Glasgow, could not be bad for the great Metropolis of London; and because they proposed to take that entire control, they did not think it right to give notice of a constant supply. As to the hydrants, if they had altered the present system they would put the Metropolis to a cost of nearly £1,000,000, and their engineers had informed the Board that even if the change were made the result would not enable the water to be thrown higher over the houses than could be done at present by means of the engines. As to Gas Bills, he had been constantly bringing them in ever since he had occupied a seat in that House. There had been an amalgamation of the various companies, the price of gas had been lowered, and he thought the action of the Metropolitan Board, together with that of the City of London, had greatly benefited the consumers. The inspectors regularly tested the quality of the gas, and any company which violated the provisions of the Act of Parliament was promptly called to account. He might mention, for instance, that the penalty of £50 was inflicted on one company because its gas was below the recognized standard of purity. If the quality of the gas were complained of, the Legislature rather than the companies was to blame; because it was the Legislature that fixed the lighting power and directed how the standard of purity was to be regulated, and it therefore was responsible in the matter. The hon. Member complained that the Metropolitan Board spent a great deal of money in looking after various Bills that were introduced into Parliament. The Board was empowered to attend before Select Committees in order to protect the interests of the public. For example, if a railway company brought in a Bill, the Board insisted on their widening their bridges and constructing all their works in a way that was conducive to the public advantage. He thought the House would agree with him that it was the bounden duty of the Metropolitan Board to attend to such matters. The total debt of the Board was £11,000,000, instead of £15,000,000, as stated; but some of that was actually the debt of other bodies, and if they would refer to the statistics supplied by the President of the Local Government Board in his speech of the previous evening, they would find that their debt was much less than that of several of the large Corporations. With regard to the Thames Floods Bill, of which he had given Notice to-night, he might remark that he introduced a measure on the subject last year, but it did not, he regretted to say, find favour with the House. The object of that Bill was to strengthen what was considered to be the existing law, and to compel the riparian owners to perform those duties which, in the opinion of the Board, were imposed upon them by Act of Parliament. The Board had previously asked the riparian owners to raise their river walls, had shown them how this could be done, and had specified, in some way, the expense of so doing. Since then a considerable number of the riparian owners had raised their river walls and banks, and done a great deal to prevent floods. His hon. Friend having made some remarks about the officers of the Board, he might take this occasion to say that they were of the highest standing, and that their advice was sought on every side in regard to engineering and architectural works. He had endeavoured to answer the objections raised by the hon. Member opposite, and, in conclusion, thanked the House for allowing him to defend the body over which he had the honour to preside.

Mr. W. H. JAMES objected to the proposition of the hon. and learned Member for Salford (Mr. Charley), that in any reforms in the Metropolis the Corporation of London should be excluded. The Motion of the hon. Baronet the Member for Hastings (Sir Ughtred Kay-Shuttleworth) referred to a subject so vast that success was not to be expected unless the Government took the question up. If it were so taken up, he (Mr. James) asked whether the Government would be prepared to legislate upon it on the principle laid down by Sir Robert Peel in 1835, the principle of the extension of the Corporation to the rest of London, rather than of the establishment of a municipality which should exclude the ancient Corporation? He had referred to the subject when he brought forward the question of the City Companies last Session; and, in passing, he might add that he did not think it advisable to occupy the time of the House again this Session, considering that a division had been taken upon the question last year. In his judgment, hardly anything could be worse than the existing state of things. Even in the matter of the nomenclature of the streets there was dreadful confusion. In the Metropolis there were 95 streets named King, 99 Queen, 78 Princes, 109 George, 119 John, 91 Charles, 87 James, 58 Thomas, 47 Henry, 54 Albert, 88 William, 57 Elizabeth, 151 Church, 69 Chapel, 129 Union, 90 North and South, 50 East and West, 157 York, 87 Gloucester, 56 Cambridge, 76 Brunswick, 70 Devonshire, and 50 Richmond. Some years ago, Lord Brougham spoke of the City as "The Giant Abuse," and it seemed to him (Mr. James) that the circumstances had become worse rather than better since then. The whole state of things was one of great confusion. There was a singular absence of sound public opinion in the Metropolis, and the miserable fashion in which the poor of the Metropolis were housed could be traced to this cause. Under a broader system of administration, of course, this evil might be expected to disappear. The fundamental principle of such a reform appeared to him to be that the outlying portions of the Metropolis should enjoy the same privileges as the City. The great point in favour of the privileges of the Corporation rested on their charters; but it was difficult to ascertain which of them were in force, and how far they interfered with former charters. He did not contend that all the rights and privileges of the Corporation should at once be swept aside by an arbitrary Act; but he suggested, as a step towards that uniformity which he desired to see, that the rights of the Corporation existing from immemorial usage should be distinguished from those conferred by charter, and that the various charters in force should be repealed and contained in one enabling Act of Parliament. The Common Hall ought certainly to be abolished; the whole manner of electing the Lord Mayor, the Sheriffs, the Recorder, &c., was a relic of a bygone age. Into the details of this question he would not enter; but he might observe, in passing, that if the Guilds were allowed to remain on anything like their present footing, it would be absolutely necessary to have some investigation into their guardianship of the public purse. The office of Lord Mayor, of course, was one which ought to be kept up with proper dignity and prestige. Now, with respect to the funds of the Corporation and the mode in which they were applied, some of the charges incurred by the Corporation were perfectly monstrous and intolerable. The income of the Corporation in 1875 was £750,000, out of which £170,000 was spent in salaries and establishment charges, although in that very year the Corporation was in debt to the extent of upwards of £5,000,000. This extravagance was infinitely worse than that of the small local bodies, of which complaints were so often made. Of that large amount much was spent in a way which could hardly be deemed creditable. He held in his hand a list of many of the expenses connected with an entertainment which had been given by the Corporation to the Prince of Wales; but he was really ashamed to mention them, because they seemed to him to be so trivial and absurd. But if the Corporation estates were extended to the Metropolis itself, the administration of the property would, he felt assured, be more proper and more just. There was another point connected with the present state of London to which he wished to refer, and that was the want of open spaces. If the Corporation had been a vigilant body, more open spaces would have been secured to the public; but, of late years, with the exception of their commendable efforts in the case of Epping Forest, they had absolutely done little or nothing. There was one thing against which he must strongly protest, and that was that when the Sheriffs of London presented a Petition to that House, they should give a dinner within the walls of the building itself. That he regarded as a very gross abuse. It was generally known that the Lord Mayor had made many efforts with respect to the reduction of local taxation; but there was something about the opinions of the citizens of London which was rather remarkable, and that was, whether the Lord Mayor was a Whig or a Tory, he always resisted every attempt to effect a reform of the Corporation. He believed that nothing effectual would be done until the matter was taken up by the Government, and he hoped they would soon undertake to do something in that direction. In any attempt of that kind they would be assisted by many of the members of the Corporation, who were desirous of handing down to their successors that inheritance of freedom which their ancestors had always been so zealous in upholding.

Sir **WILLIAM FRASER** said, he concurred in the 1st and 5th Resolutions of the hon. Gentleman opposite (Sir Ughtred Kay-Shuttleworth). Any reform of the Corporation of London should be undertaken by Her Majesty's Government. A satisfactory reform could only be carried as a Cabinet measure, and he hoped that the Government would, as soon as possible, take up the subject and introduce a good Bill. They looked to a Conservative Government for practical reform, and he hoped that before the Home Secretary left Office he would introduce a good and efficient measure, and carry out those improvements which were so much required. A more coercive power, as regarded the vestries, was wanted. The Metropolitan Board could not put pressure on the vestries, because the way in which the Board was elected made it impossible for it to coerce the parishes into efficiency. To achieve that result, very considerable changes would be necessary. It might very well be asked why better men did not come forward to serve on vestries?—the real fault lay in the system, which would have to be altered. At first, he had been in favour of the plan of direct election; but, judging from the results of the School Board Election, he had since had reason to change his opinion, as the eminence of the persons elected had deteriorated. He would suggest to the Home Secretary that the first thing necessary was good ability in the men elected, and there was no impossibility in obtaining able men, though the government of even a great city was a less ambitious task than that of a country. If the House would pardon the alliteration, he would mention five things which were indispensably necessary to tempt good men into a municipal corporation—either pomp, or pay, or publicity, or patronage, or power; and if none of these advantages could be offered, it might, perhaps, be desirable to create a separate Office or Ministry for the regulation of the Metropolis, as had recently been done for Scotland.

Mr. RALLI said, that the proposal of the hon. Member for Hastings (Sir Ughtred Kay Shuttleworth) was a proposal to return to a state of things which existed 500 years ago. Those who then framed the regulations of the City would be much astonished if they could come back and see the authority of the municipality restricted to 700 acres out of the total area of 70,000 included in the Metropolis. The municipality had resigned a good many of its powers and functions; among them it had given up the conservancy of the Thames, but still preserved the monopoly of markets. The facts, he thought, supported the idea that in earlier times the City of London was supposed or designed to include the whole Metropolis, and it was mainly the jealousy of the Kings which arrested the growth of the City. The reason which, he thought, explained the patience of the people with the limitation of the City boundaries, was the fact that the Metropolis did not, like so many other places, grow up from one centre, but that it started from several centres, besides London proper, such as Westminster and Chelsea—places between which and London there was not much communication until comparatively recent times. When they had extended towards each other so as to become one town, in the earlier part of the last century, the excitement engendered by the complicated state of our foreign relations, and the changes that we were going through, diverted the attention of the people both from the constitution of that House and that of the local governing bodies. It was only in 1832, when, after a settlement of the affairs of Europe had been arrived at, and peace had been restored, that the great question of the reform of that House was taken up, and, when it had been carried, it was immediately followed by the reform of the municipal corporations, which, however, stopped short of the Corporation of the City of London. The Commissioners of 1835 approached the subject in a more unprejudiced state of mind than others had done since that time. In those days, although it was supposed the City of London would oppose reform, it was thought probable that its opposition would not be stronger or more successful than the opposition of the proprietors of boroughs to the Reform Bill, or that of other Corporations to the Municipal Reform Act. Therefore, the Commissioners took it for granted that reform of some kind would be carried out in London. In their Report they said there was no reason why London should be treated differently from other places; and Lord John Russell, who was then the Leader of the House, stated that the Government would bring in a Bill for the reform of London, and it was only the magnitude of the task, and the difficulty of dealing with the subject, that was the cause of delay. The idea that had grown up since, that the reform would involve any political danger, seemed not to have existed then; the difficulty seemed to have arisen solely from the magnitude of the task, and not in the least from any fear of danger. After 1837 the question seemed to have gone to sleep; the House and the country were fully occupied with the great changes in their fiscal system following the abolition of the Corn Laws, and the matter was allowed to rest until 1855, when things had come to such a pass, and the government of London was in such a state of chaos, that, although they were engaged in the great war with Russia, and political Parties were in a state of anarchy from the collapse of the Coalition Ministry and the assumption of power by Lord Palmerston, even the Government of that day thought it absolutely necessary to propose some legislation for the government of London outside the City; and on that occasion were formed the present vestries and districts boards, and the Metropolitan Board of Works. The hon. and gallant Chairman of the latter (Sir James M'Garel-Hogg) thought that the speech of the hon. Member for Hastings was an attack on the Metropolitan Board; but he (Mr. Ralli) did not take it to be so. The hon. Member for Hastings did not complain of the way the Board had carried out the functions for which it was originally appointed; but what he contended was, that at the beginning it was not intended to be a municipality for London, but was formed to carry out certain special purposes. What had happened since? That House had found it necessary to assign certain duties to some local authority in the Metropolis, and, there being no other—that was for the whole area, or any considerable part of it, except the area administered by the vestries and district boards—Parliament had gradually piled upon the Metropolitan Board of Works duties of a most incongruous character, from supervising baby farming to the demolition of unwholesome dwellings, and from main drainage—its original function—to the storage of petroleum and care of bridges. He was not going to attack either the Board or the vestries. There were many duties which they had discharged with fair efficiency, although there were some which they had fulfilled in an extraordinary manner, as they knew to their inconvenience every day, especially as regarded the cleansing of the streets. Anybody knew what would happen after a fall of snow in London. Three or four years ago, having occasion to call upon his right hon. Friend the Member for Greenwich, then Premier, at his then residence in Carlton House Terrace, he found between his (Mr. Gladstone's) house and the Athenæum Club a barricade of snow, which had been piled up by the vestry during the winter, and which was allowed to remain until February or March, a black and dirty heap, which was a disgrace to a civilized town, and would not have been seen in any capital but that. The vestries certainly discharged many functions well, and neglected others, and there was no authority to compel them to attend to what they neglected. The Metropolitan Board had no authority over them; its members were elected by them, owed office to them, and could not be supposed to control them. However willing the Board might be to do the work, it had absolutely no authority to control the vestries. The Metropolitan Board had relations with the gas and water companies, and the hon. and gallant Chairman said it was continually introducing Bills to regulate them, which Bills, he said, met with little support and failed; but the Metropolitan Board was not considered by the public to be a municipal authority, and, therefore, it did not receive that support which it would receive if its members were elected directly by the ratepayers, and regarded by them as a municipality in which all could take an interest in it as citizens. The Metropolitan Board had relations with the City Corporation, and they had been told that evening that they were amicable, and which was a very good thing for the Metropolitan ratepayers, for in times past there had been a good many fights between them, in which much money had been wasted. He remembered shortly after he had the honour of a seat in that House there was an agitation for freeing the Metropolitan bridges, which resulted in a Bill, promoted by the Metropolitan Board, being carried through a Select Committee, but when it re-appeared in that House, Notice of opposition was put on the Paper, and they all knew how effective such a Notice was in June, to obstruct a private Member's Bill, such as that technically was. The Notice was given by an hon. Member for the City of London, who was then Lord Mayor, and the result was, the Bill was defeated for the Session, and had to be re-introduced the following year at an enormous additional cost to the ratepayers. Under such circumstances, the only conclusion that could be come to was, that there was required an authority to control the vestries, to deal with gas and water companies, and to obviate such conflicts between bodies representing different parts of the Metropolis. There were two plans for effecting the necessary change. One—that of the hon. Member for Hastings, was to extend the authority of the City Corporation over the whole Metropolis. The other, which had found favour in times past, and was supported by Mr. Stuart Mill, Mr. Buxton, and others, was to divide the Metropolis into several municipalities. At first sight, it might seem as if the latter plan offered great advantages, and that it would avert opposition, and be much easier to carry than the other; but he ventured to think the example they had of a community divided into several municipalities was an example to be avoided. Three years ago, he was a Member of a Committee which had to consider a Bill promoted by the Corporation of Glasgow, to extend its municipal limits; it appeared that under a Police Act, which was passed for Scotland in 1862, some of the suburbs of Glasgow had contrived to be made separate boroughs, so that there resulted, on a small scale, the state of things London would present if Westminster, Marylebone, and Chelsea were separate municipalities. The consequence to Glasgow was continual disagreements, involving costly Parliamentary contests—that which was tried by the Committee of which he was a Member, costing £11,000 to Glasgow, independently of what the opponents spent. That was what the ratepayers had had to pay for the privilege of having these separate corporations to fight each other. If that was the case with these small corporations, what it might be with the Metropolitan corporations surpassed all conjecture. He could not conceive what was the great peril or danger with which they would be confronted if they extended to the whole Metropolis the authority of the City Corporation. The new municipality would not have the great power which the present City of London possessed, owing to the revenue it derived from estates apart from taxation; the new municipality would derive its income from rates, which it would have to account for to the ratepayers; its influence could not, therefore, be backed up, as that of the existing Corporation was, by the lavish and magnificent expenditure which its own property enabled it to indulge in; and therefore he thought the power of the new municipality would be of an entirely different character from that of the present Corporation, which so many were afraid of increasing. If there was political danger, which he did not believe, they were bound to take their chance of such a danger. That House, 40 years ago, allowed all great towns and cities to have municipal corporations; last year and this it had gone further, and had resolved that not only towns and urban districts should have elected municipal authorities, but that, even in the counties, there should be similar authorities; and, although the Bill of the Government did not propose direct election, there was no doubt it was the beginning of a great innovation in the government of the counties, and that in future years the counties would have kindred institutions to those of the towns. Therefore, if the House rejected the Motion, they would arrive at the conclusion that the Metropolis did not merit privileges they considered all the towns of England to be worthy of 40 years ago, and which they were now conferring even upon the counties, they would decide that the only people who were too stupid or too dangerous to have them were the people of London outside the City boundaries. He thought that that was too unreasonable a conclusion for the House to arrive at. He could not but think the House would give the hon. Member for Hastings sufficient encouragement to justify him in pressing his Motion to a division, and whatever might happen now, the debate would not have prejudiced the discussion of the question afterwards, but would have promoted its ultimate settlement. He could not imagine that political fears were the excuse for not doing something now; the fear really was the opposition that would be engendered in certain quarters of the Metropolis. Seeing what measures the House had carried since 1837, when the first Report on this subject was made, he could not imagine it would be deterred by imaginary fears from carrying out this reform, to effect which would earn for the Home Secretary the gratitude of the inhabitants of London, with an increase of the popularity which he possessed, and which they were all agreed he so highly deserved.

Sir SYDNEY WATERLOW said, whatever might be the result of the Motion, they must all feel indebted to the hon. Baronet the Member for Hastings (Sir Ughtred Kay-Shuttleworth) for having brought forward the subject for discussion. He (Sir Sydney Waterlow) congratulated the hon. Baronet on the very clear and temperate manner in which he had dealt with the subject, and hoped that its discussion would awaken the attention of the public, and stimulate the Government to take the matter in hand. He could not concur in the criticisms which had been passed on the Metropolitan Board of Works. When originally constituted, that body was never intended to perform the duties which year after year had been thrown upon it; and yet, while the work was increased, no addition was made to the number of persons who had to perform those important functions. In fact, there were not a sufficient number of persons on the Board to give the necessary time and attention to the details of the work. He wished it to be distinctly understood that he had no authority to speak for the Corporation of London; but, from long experience of that body, having filled almost all its offices, he thought he might say that if the right hon. Gentleman the Home Secretary would take in hand the great question of providing one large municipal body for the government of the Metropolis, he would not find the Corporation hostile or throwing impediments in his way. He said that on the assumption that if the right hon. Gentleman took up the question, he would deal leniently with the privileges of the Corporation. Some hon. Members might think that the work of the Corporation was local, but it was not at all local. The Coal, Corn, and Finance Committee, for instance, handed over a considerable portion of the money it collected to the Metropolitan Board to be spent over the whole Metropolis. Then the work with regard to the Metropolitan markets was spread among four committees. No one could say that that work—the dispensing of the food for the entire community, as he might call it, a very small portion only being consumed in the City proper—was a work which concerned only the City of London. It concerned the millions who inhabited the Metropolis. There was also the Library Committee. The library was open not merely to citizens of London, but to all in the Metropolis who chose to visit it. Then there was the City of London School. Five-sixths at least of the scholars did not belong to the City of London; they came from the outskirts of London. Then the whole of the work of the Port of London Sanitary Committee concerned those who lived outside the City boundaries. It was clear, therefore, that the Corporation of London performed important duties affecting generally the welfare of the Metropolis; and, after the expression of opinion in that House on the occasion of the debate raised by the hon. Member for Gateshead (Mr. James), he could hardly suppose that the Government would think of interfering with the property of the City Companies. He should rejoice to see the Corporation and the Metropolitan Board amalgamated with one central authority, to secure for this Metropolis the advantages of municipal government; and he could not think that the inhabitants of the large parishes—such as Lambeth, Chelsea, and Marylebone—would long continue without the advantages which local municipal government would confer upon them. While he reserved to himself the liberty of expressing an opinion on other points raised, he accepted the broad principle that it was desirable there should be one municipality for the control and management of this great Metropolis.

Lord ELCHO said, he was glad to learn from the last speaker (Sir Sydney Waterlow), that whoever might undertake to deal with that question was not likely to have to encounter the hostility of the City of London. There could not, he thought, be a better time than the present for dealing with the matter, and the declaration of the hon. Baronet would certainly give comfort to all who were working in the direction of reform. A great gain had been secured when it was practically admitted that the question would not meet with hostility from the Corporation of London. The hon. Baronet the Member for Hastings (Sir Ughtred Kay-Shuttleworth) had shown, in a very clear and complete speech, the unsatisfactory state of things which now existed, and had urged the necessity of something being done to remedy it. The question had now become ripe for solution. All that remained was, what should that something be, and who was to do it? Two views as to what should be done had been put before the House. The one was that they should follow the lines of the old City Constitution and extend the jurisdiction of the City over the whole of the Metropolis now beyond its boundaries. On the other hand, the hon. and learned Gentleman behind him (Mr. Charley) thought that would be a source of political danger; and that, instead of having one great municipality for all London, they should have a congeries of smaller municipalities under the wing, as it were, of the City—a sort of hen-and-chickens, in fact. For himself, he was inclined to think it would be better in that matter to proceed on the old lines, and he could not foresee any political danger in a single great municipality such as had been pointed out. The 1st Resolution of the hon. Member for Hastings merely affirmed a fact which nobody who walked about London using his eyes and his nose could gainsay—namely, that its local management required reform. He (Lord Elcho) had asked his hon. and gallant Friend the Chairman of the Metropolitan Board of Works last year, whether he had any power to force the vestries to water the streets? and he found that he had not. Things could not be allowed to remain as they were. It would be better that the work should be done under the Corporation than that they should have the double system of the Metropolitan Board of Works and the City. Even if they retained the latter body, they would have to give it increased power. The 5th Resolution of the hon. Member for Hastings said that the necessary reform should be undertaken by the Government. If dealt with at all, the question must be dealt with by the Government, and by a strong Government. He would suggest that the hon. Member (Sir Ughtred Kay-Shuttleworth) should sink his intermediate Resolutions, and submit to the House only the 1st and the 5th of them. That would leave open the question of whether they should have one municipality under the City, or several municipalities, which would have to end, more or less, in a federation under one head. They would not gain anything by a division, because the odds were that the Government would decline to abide by the decision of the House, and would wish to remain free to judge whether or not it should take up such a question. He hoped, however, to hear the right hon. Gentleman the Home Secretary say, that he saw the policy and necessity of taking it up in the state in which it now stood, there now appearing every prospect that in dealing with it he would have the help of the City. He trusted that much good might come from that discussion, and that something would now proceed from the lips of the right hon. Gentleman (Mr. Cross) which would encourage those who had been working for many years in favour of the municipal reform of that Metropolis.

Mr. STANSFELD said, he could not help thinking this had been entirely a one-sided debate, and he had waited some time to see whether anyone would rise to argue against the Resolutions of his hon. Friend the Member for Hastings (Sir Ughtred Kay-Shuttleworth). He thought the House would concur with him at least in this—that they were indebted to his hon. Friend for the admirable manner in which he had expounded the subject. His hon. Friend, in an exhaustive, careful, descriptive analysis of the constitution of the Metropolitan authorities, had shown that the present state of local government in London was indefensible, and there was no possible argument which could be addressed to the House which would defend the denial to the Metropolis, except that portion of it which was within the City, of the municipal advantages which were extended to every borough in the Kingdom. His hon. Friend had also shown that not only was there a state of chaos with regard to existing institutions, whether municipal or otherwise, in the City of London and in the Metropolis around it; but that with the exception of the City, there was an absence of some of the most ordinary and necessary powers of local government. He did not know that the House generally recognized the fact that there was not a single urban sanitary authority throughout England and Wales, however small, which had not more complete powers of local self-government than was possessed by that portion of the Metropolis which was under the Board of Works. In 1835, Parliament gave the advantages of municipal institutions to all the large, and some of the smaller towns in the country, excluding only the Metropolis. In 1872-3 Parliament extended somewhat similar powers under a succession of Acts to urban populations. But during the whole period of 40 years, although it had never been argued that the Metropolis was not fit for municipal duties, no serious attempt had been made to confer those advantages on it itself. What did the Government intend to do? His hon. Friend had referred to the fact that the Metropolitan Board of Works had this year come to Parliament to ask for additional powers to buy up the works of the water companies. The Question he wished to ask the Home Secretary and the House was this—What answer was to be given to that appeal? He could not think that Parliament was going to grant those powers—powers such as were already possessed by every petty urban authority throughout the country. But if the Government did not think it wise to confer on the Metropolitan Board of Works the power to supply the Metropolis with water, then upon the Government must be thrown the responsibility of providing the Metropolis with a Governing Body upon which they would advise Parliament to confer these powers. His hon. Friend proposed that the whole Metropolis should be united under one administrative authority; others would like to have several municipalities federated with the City. All these were questions of the highest importance; but they were secondary in point of time. In the front rank he placed the responsibility of the Government, and he rested that responsibility not only on the urgency of the question, but also on the fact that this Session the Metropolitan Board of Works had applied for powers to supply the Metropolis with water. He hoped that the right hon. Gentleman the Home Secretary would acknowledge the urgency of the occasion, and that Her Majesty's Government would take upon themselves the responsibility of dealing with the question at the earliest possible period.

Mr. ASSHETON CROSS said, that the right hon. Gentleman who had just sat down (Mr. Stansfeld) had referred to the responsibility of the Government. As to that, he need only point out that the Party to which the right hon. Member for Halifax belonged had held the reins of Office for a considerable number of years, and had had ample opportunities of dealing with this subject. He presumed, therefore, that they had not felt that their responsibility called upon them to deal with it. For his own part, he was not aware that any urgency had arisen since then, or that any urgency existed now that did not exist four years ago. He was very much obliged to the hon. Member for Hastings (Sir Ughtred Kay-Shuttleworth) for the very able and temperate speech he had delivered in bringing the subject forward. Still, he regretted that the matter had not been brought forward as an independent Motion earlier in the week, instead of being in the form of a Motion on going into Committee of Supply; because, in the former case, some hon. Members might have set up some other plan, opposed to his own plan of a central government, which the House might have discussed, whereas, at the present moment, there existed no means by which the efficacy of one plan as compared with another could be tested. Moreover, he was rather sorry that the Motion had taken the form of a Resolution at all, for that seemed to be rather a retrograde step in this matter. Several Bills had been introduced on this question before now, and when the question had once assumed that shape, it was rather a retrograde step to go back to the form of a Resolution. At all events, the hon. Member who introduced the Motion had not availed himself of the opportunity he would have had, if his views had been embodied in a Bill, of explaining to the House how he would have carried his proposal into effect. But that was the course taken by the right hon. Gentleman who had just spoken.

Sir UGHTRED KAY-SHUTTLEWORTH reminded the right hon. Gentleman that he had helped to bring in a Bill on the subject.

Mr. ASSHETON CROSS said, that only strengthened his argument that it was a retrograde step to go back to the form of a Resolution. Passing on to a consideration of the Resolutions themselves, he remarked that the 5th was rather an awkward one. It was—

> "That this reform should be undertaken by Her Majesty's Government without delay."

The 1st Resolution was merely destructive. It ran in these terms—

> "That in the opinion of this House, the present state of Local Government in London is unsatisfactory, and calls for reform."

Thus, it merely said that that which existed was wrong. This, generally speaking, was very easy to prove with regard not only to the municipality of London, but a great many things. The 2nd and 4th Resolutions were really constructive Resolutions. They affirmed—

> "That the whole Metropolis should be united under one administrative authority, directly representing the ratepayers, and so constituted as to command general confidence;" and, "That the ancient Corporation of the City, if extended over the Metropolis and remodelled in accordance with present wants, would best achieve the purposes of a Municipality for London."

He presumed that meant that they ought to take the prestige and the property and everything else belonging to the ancient Corporation of the City of London, to alter them entirely so as to meet modern requirements, and then extend them to the whole Metropolis. Well, there would not be much of the ancient Corporation left. Unless the proposal were worked out much more in detail, it would be better to pass over the 2nd and 4th Resolutions. The question was how the House should best deal with the matter to-night. He was bound to say that anyone who walked through London on a very wet or snowy day must wish to see the Metropolis reformed. But that was a truism to say not merely of London, but also of the reformed Corporations of Manchester, Liverpool, and other great towns, that no one could pass through any of those places without wishing them reformed. He did not think there was much force in the statement of how many jurisdictions a person would pass through in walking from Hammersmith to Charing Cross. It did not matter how many jurisdictions there were if they were all properly attended to, and did not levy customs. Some hon. Members talked of having one body to administer everything within a given area; but he would observe that that was a thing not to be found in any municipality in the world. In Liverpool, for example, he thought there were 30 or 40 different bodies touching at different parts within the limits of that Corporation. This question was not a new one, as it had been brought before the House over and over again. Several different proposals had been made, two of which ought to be named before they came to the conclusion that this was a proposal which they were all bound to adopt. The hon. Alderman on the other side of the House (Sir Sydney Waterlow) made a remark which might lead hon. Members to believe that the City of London was really anxious that the present proposal should be accepted. He (Mr. Cross) had, however, himself seen that very day one of the chief officers of the City, and he was told that a Resolution had been passed by the Committee on Local Government to the effect—

> "That this Committee is of opinion that one municipality would not be able to administer the local affairs of the entire Metropolis."

Then, they went on to say that the report agreed to by the Court of Common Council in May, 1870, should be the basis of any alteration in the local government of the Metropolis. This was the conclusion of the only City Committee that had discussed the question, and it was distinctly opposite to the principle of these Resolutions. It was true that the City of London, according to that Resolution, were to mix themselves up with other municipalities; but that was not the proposal contained in these Resolutions. It had been agreed on all hands, and by both sides of the House, that if this matter were to be undertaken by any Government, the first thing to do was to get the City of London on their side; but at the present moment the Government had not got the City on their side. All he could say was, that in a matter of this kind, where such institutions were concerned, it was quite right to get the City on their side. The hon. Alderman who had spoken on behalf of the City said that the City were considering this question, and, in a matter of such gravity and importance, it was but reasonable that time should be allowed for their consideration. Therefore, if the question had been brought forward as a distinct Resolution, he would have been disposed to suggest that it should have been met by the Previous Question; but, in its present form, he thought the best way of meeting it was to affirm the Motion that the Speaker leave the Chair —a Motion which would have the same effect as that of the Previous Question.

Dealing with the different ways which had been suggested for meeting the difficulty of Metropolitan management, there had been more than one proposal. Much had been said, and a great many suggestions had been made, as to the manner in which the Metropolis should be governed; but all of them were open to objections of some kind or another. It had been said that the Metropolitan Board of Works should be extended. It had also been suggested, he believed by Earl Fortescue, that there should be all sorts of bodies, and that each should be devoted to a particular work—one to water, one to gas, one to improvements, and so on. But there was one difficulty which those who spoke a good deal with respect to the latter suggestion did not appear to have taken sufficiently into consideration, and that was the difference of area which was touched by such a proposition—so far, at least, as gas and water were concerned. It had been said, again, that the City should be the nucleus of the whole story, and that it should be extended; and reference had been made about the habit of taking in wards, one after another; but much more had been made of that point than he thought history would warrant. When it came to the absorption of the city of Westminster as a suburb of the City of London, a stop would certainly be made. In his opinion, many of the suggestions from time to time made upon the matter deserved more consideration than they could possibly receive in that House that night. It would, therefore, be unwise to come to a decision at once upon a point like that—that London, if it was to be reformed at all, must be reformed by extending the City over the whole area of the Metropolis. The action of Sir Robert Peel in 1835 and 1837 had been referred to; but upon that point something had been omitted which ought to have been stated. The matter was inquired into by Sir George Cornewall Lewis, Mr. Labouchere, and Sir John Coleridge. They were proposing to extend the City of London to 120 times its present size. That was a bold thing. They must consider what was the object of municipal government. One of its conditions was that there should be an *esprit de corps* in the community to whom it was applied, that it should have a common interest. But what said the Committee?—

> "A change of this magnitude would not only alter the whole character of the City Corporation, but it would, as it seems to us, defeat the main purpose of municipal institutions. London, taken in its full extent, has, in literal truth, been called a Province covered with houses. Its diameter from North to South and from East to West is so great that persons living at the farthest extremities have but very few interests in common. Its area is so large that each inhabitant is in general acquainted only with his own quarter, and has no minute knowledge of the other parts of the town."

Hence the two first conditions of municipal government, minute local knowledge and community of interest, would be wanting if the whole of London were placed under a single municipal corporation. He was not saying the difficulty was insuperable; but he did say that in a debate of the kind they could not affirm such a sweeping proposition, and he thought the House ought to weigh very carefully indeed any Resolution it might come to. It was a very significant fact that gentlemen of great experience had carefully investigated this subject from time to time; and since the period when the great municipal changes were made all over the country, the proposal to have one municipal institution for the whole of London was the one thing which had never been recommended by any Committee or Commission. The hon. Baronet the Member for Maidstone (Sir Sydney Waterlow) seemed not unwilling to see such a scheme carried out; but he (Mr. Cross) would remind him that if the City of London had added to it the 75,000 acres over which the rest of the Metropolis extended, the Corporation would retain little or nothing of its present character, for the privileges which the City at present possessed would be sure to be extended to the new one, and Aldermen would be sure to disappear. It seemed to him that he would be an extremely rash man who would seriously suggest that the whole of the charters which the City of London now possessed should be granted to a great municipal institution having the whole of the Metropolis under its control. Few people knew exactly what those charters really were, or how far their powers might be pressed. Yet, the hon. Member for Gateshead (Mr. James) proposed nothing less than an extension of the rights and privileges of the City to the whole Metropolitan area. Well, independently of the fact that no one could tell exactly what the rights and privileges of the City were, was it to be supposed for a moment that the Metropolis at large should have power to elect its own Judges? It would be absolutely impossible that such a thing could be allowed for a moment. It would be creating a state of matters which did not exist in any other country. The House would therefore, he hoped, at all events, stay its hand before it committed itself to any rash conclusions as to extending the City over the whole Metropolis, and making it the Governing Body for London. When it was said that the government of the Metropolis was not all that it should be, that was to give expression to a simple truism. But it was a totally different thing from declaring by a formal Resolution that the government of London ought to be altered, and that the Government of the day should take the subject up and deal with it at once, and act as some hon. Gentlemen seemed to desire. That was a sort of Resolution by which he declined to be bound. No one could hold the Office which he had the honour to fill and refuse to admit that there were great faults in the government of London. He would go further, and say that there were questions connected with it which must undoubtedly be settled, seeing that the Bill had been introduced by the Metropolitan Board of Works for taking upon itself the whole of the water and gas supply of London, and taking into account the Report of the Fire Brigade Committee which sat one or two Sessions ago. Quite sufficient pressure was thus put on the Government if they thought fit to lay before the House measures dealing with those questions before long. Having said that, he had, he thought, said as much as he would be justified in doing. The matters to which he had just referred were such as the Government were bound to take into consideration; and, when they did so, other matters would, of necessity, occupy their attention. Without, therefore, giving any pledge on the part of the Government which would bind them at once to bring in a Bill to carry out the object which the hon. Member for Hastings (Sir Ughtred Kay-Shuttleworth) had in view, he begged to return him his sincere thanks for the manner in which he had brought an important subject under the notice of the House.

Mr. LOWE said, he thought that the right hon. Gentleman towards the latter part of his speech began to think what he (Mr. Lowe) himself had certainly thought all through, that he had not dealt very worthily with a great question. The House had that evening witnessed a most singular spectacle. A very bold and sweeping proposition had been submitted to its consideration, with great ability for effecting changes in a most ancient and respectable institution. Speech after speech had been made in support of that proposition. Arguments of great ingenuity had been advanced, and great knowledge of the subject had been displayed, but not one hon. Member rose to say a word in favour of the state of things which had been attacked. The City of London, as the House was aware, was a very powerful institution. It was represented by four hon. and right hon. Members, and could influence the votes and opinions of a very large number besides. Yet, it had not deemed it necessary, when sweeping changes affecting it were proposed, to put forward its strength or to say anything in its own defence. He could not suppose, especially after what had fallen from the hon. Alderman behind him (Sir Sydney Waterlow), that that mode of meeting the question before the House had its origin in any feeling of contempt for what had been stated. He attributed it to a much more honourable reason, and that was that the City of London was persuaded that the time had come when it could no longer remain in a state of isolation apart from the great communities which dwelt in its immediate vicinity. It must be prepared to take the lead in making itself the head, not of a small portion, but of the whole of London. That being the state of the case, and also bearing in mind that for several years the question had been pressed upon the Government, he thought—seeing that nothing whatever had been done, though what amount of consideration had taken place he knew not—they had some right to complain of the manner in which they had been met on the present occasion. The objection which had been made by the Secretary of State for the Home Department to the course pursued by his hon. Friend the Member for Hastings (Sir Ughtred Kay-Shuttleworth) was, he could not help thinking, hardly fair; indeed, he (Mr. Lowe) thought he must have put it as a joke. The right hon. Gentleman asked why his hon. Friend had not brought in a Bill?—as if it was likely that any private Member could succeed in passing a Bill providing that municipal institutions should be extended over the whole of London. It would be all very well to ask such a question if it were meant as a joke; but the right hon. Gentleman was speaking seriously, and he, with the whole power of the Government at his disposal, condescended to carp and sneer at his hon. Friend because he had not brought in a Bill. The right hon. Gentleman might have recollected that hon. Gentlemen might bring in a Bill on that or any other subject, and have their names put in the papers; but there was no chance of doing anything with a Bill, unless they were very fortunate on a Tuesday; and the Government had got into the agreeable habit of confiscating the Tuesdays for their own benefit without Notice to the House. And then they said—"Why don't you bring in a Bill?" The right hon. Gentleman had given them to understand that he had given no consideration to the subject.

Mr. ASSHETON CROSS: No.

Mr. LOWE said, that was what he understood. The right hon. Gentleman treated the subject with contempt.

Mr. ASSHETON CROSS: I did no such thing. I said serious questions had arisen that would receive our attention.

Mr. LOWE: Was the right hon. Gentleman prepared to say that they should continue to go on as they were going on then? Was he prepared to say that he would not stir in the direction of giving any kind of self-government, except within a single mile, to a population larger than that of many a State? The right hon. Gentleman also spoke about five Resolutions having been brought forward; but he was master of the situation, and he could very well take care that neither five Resolutions nor one on the present subject was passed. The matter then stood in this position—that, while everybody felt that new wants were every day springing up, they were left to be dealt with by a body of the most anomalous character, quite different from anything which existed in any other part of the country. They had got an ingenious contrivance by which a number of persons elected for small, obscure, and insignificant offices, whose names were not known to the persons over whom they exercised a certain power, and who were utterly unknown and unregarded, elected other persons who were entrusted with the expenditure of millions and millions of money, and in whom was reposed the highest trust. Was it to be tolerated that when the citizens of the Metropolis wanted anything done, they should be compelled to apply to such a body? Was such a state of things to be perpetuated because the Government refused to stir in the matter? Was it a state of things so consonant with the habits of the people of this country that it required no argument to be urged in its defence? He had hoped that his hon. Friend would have been enabled to withdraw his Resolutions, because of some satisfactory assurance which would be given him by the Government. He now hoped, however, that he would go to a division. They would have the satisfaction of knowing that, although they might be overwhelmed with numbers, nothing had been done to convince them by argument.

Lord JOHN MANNERS said, he was surprised that the right hon. Gentleman, who had himself been Home Secretary, should wonder at the tone of his right hon. Friend's speech. For himself, he must confess that he had listened with some surprise to the tone and manner of the speech which had just been delivered. They had heard the right hon. Gentleman belabouring the Home Secretary for not having introduced a measure—which his right hon. Friend had never promised to introduce —which during the whole five years the Member for the University of London was in Office, the Government to which he belonged had never introduced. The right hon. Gentleman had referred to some observations which had been made in that House, and had, apparently, misunderstood them. What happened was this—when, at an early period of the late Administration, Lord Aberdare talked of legislating on the subject, he (Lord John Manners), in venturing to give him a piece of advice, said he was quite right to move in the matter, if he found himself supported by both the City of London, and the Metropolitan Board of

Works, but not otherwise. That advice had been taken in very good part; but it so happened that from that day to this no measure on the subject had ever been introduced, much less had passed into law. And yet the right hon. Gentleman rose in great dudgeon and wrath to complain that no Bill had been brought in to reform those very bodies which he had himself and the Government to which he belonged let alone. The right hon. Gentleman had very hastily assumed that because no Member for the City of London had risen to denounce the proposal before the House, therefore the Members for the City were in favour of it. The Government happened to know that the feeling of the City was not in favour of such a proposal, and it was vain for the right hon. Gentleman to spin a cobweb argument from a supposed assent inferred from the silence of the hon. Members for the City. For the matter of that, no hon. Member had risen to maintain the existence of the Metropolitan Board, except its Chairman, who had made so good and effective a reply to the charges brought against his Board that no other Members had found it necessary to speak on that part of the question. He was bound to say that, considering the tone of the speech of the right hon. Gentleman, he had been surprised to see how little argument there was in it. How much light, for instance, did it throw upon the grave reforms which the right hon. Gentleman intended to introduce for the benefit of the Metropolis? But the right hon. Gentleman had said nothing whatever on that point, though the subject was very grave and considerable, one of the greatest difficulty, and no Government could pretend to deal with it, unless it made up its mind as to what was practicable. His own opinion was, that the House should make up its mind before dealing with so grave a question; and it was better that the right hon. Gentleman the Home Secretary should hold his hand, and not speak in a vague, declamatory way, about the blessings of extending the government of the City of London over the whole Metropolis, until he was satisfied what could be done, and that he could carry the City and Metropolitan authorities along with him in doing it. He knew very well that much of the work that had to be done could be performed better than by the existing fragmentary machinery by which it was at present accomplished; but he would not sit down without saying that the work, so far as it had been done, had been done well, and to the satisfaction of the Metropolis.

Sir CHARLES W. DILKE: I am in the unfortunate position of not being able to agree with either side. On the one hand, I think that a case for reform has been made out by my hon. Friend (Sir Ughtred Kay-Shuttleworth); while, on the other, I disagree with much of what the hon. Baronet has said. As for the remarks of the right hon. Gentleman the Member for the University of London (Mr. Lowe), he and I are ratepayers in the same ward, in the same parish; and the best way in which I can pay him off for the observations on the subject of London government which he has made, is by moving at the meeting of the ratepayers, which will be held on Tuesday the 28th of May, that he be elected to the vestry for our ward. I am sure that the great name and eminent public services of the right hon. Gentleman will make his election by the ratepayers a certainty; and I feel that he will be excellently punished for his past, by having to sit and witness, week after week, the excellent government of his parish by those he has condemned. It is singular that the right hon. Gentleman, who is famed for his fear of democracy, sees only one hope for our government in London—namely, that our rulers should be directly elected by household suffrage without any restriction of residence. He is hardly consistent when he takes that view. I, who am open to no such charge of inconsistency, can take it, and do take it, for reasons which I will give. A great portion of the attacks upon the present form of London government are the result of an unfair and misleading comparison with the government of Paris. It is true, that while no work has been carried out in Paris as great and as enduring as the Thames Embankment, nevertheless, a greater mass of new works have been successfully executed in Paris in our time, than in London; and that, in certain points, the government of Paris is superior to our own. But, in municipal government, I fear that it is the case that good government means dear government; and it must be remembered that in Paris, street watering, street sweeping, removal of dust, lighting, paving, and many other services, can be carried out at a vastly cheaper rate than is the case in London, and for this reason—that the concentration of population in Paris is such, that the area of the whole of the 12 central *arrondissements* is less than that of the single Metropolitan borough which I represent; and the whole of Paris up to the fortifications, occupies an area only equal to that of two of our Metropolitan boroughs. This concentration of population is caused by the Parisian practice of letting in flats, instead of separate houses; and that practice not only cheapens the cost of the services which I have named, but also enormously increases the effectiveness combined with cheapness of other services, such as inspection of nuisances, provisions against over-crowding and sanitary provisions generally, and many others, by making the porter of each great house a semi-official personage. On the other hand, while I think that the statements of the right hon. Gentleman are exaggerated, I am decidedly of opinion that the present system of local government in London does call for reform, and I am able to support the 1st Resolution of my hon. Friend. Had I no other reason for so doing, this reason would be a sufficient one with me—that the people of London desire greater unity of administration in certain large matters which at present are, and which must continue to be, beyond the control of the parochial vestries. Now, the Metropolitan Board know that this is so, and by their Gas Bills of last year, and their Water Bills of this year, they have shown they know it. On the other hand, their constitution is such, that they must be perfectly aware—and if they are not, the House is well aware—that they will not be permitted by the House to carry any of those large Bills. That the Government of London stands in need of reform, for the purpose of securing unity of administration in the larger matters, seems then to me beyond dispute; and the open question is, what particular reform shall be carried out? which question would come on for our discussion upon the 2nd and 3rd of my hon. Friend's Resolutions, after the 1st should have been carried. I am disposed to agree with what I believe is the opinion of my hon. Friend, rather than with that which, to judge by his former Bill, used to be his opinion some years ago. I think, for those purposes for which we need a strong administration, we should try to make all London one; and for those purposes for which we need close personal supervision, the existing parochial areas are amply large enough. In other words, I am most strongly opposed to the scheme for creating municipalities in each of the Metropolitan boroughs. It would be a great political convenience to the Metropolitan Members; but I am convinced that it would be attended with the greatest drawbacks to the good government of the Metropolis—that it would introduce fresh elements of cost and confusion; and so strongly do I hold this opinion, that if the choice were between the scheme of the late Mr. Mill and the present state of things, I would far sooner wish that we should remain as we are. But it is not. Whether the reform come this year, or whether it come in a few years' time, it is certain that we shall soon progress, in the direction of increased unity of administration. For the smaller purposes, I would sooner, if there is to be a change, further divide than further amalgamate. One of the parishes, for instance, which I represent, is too large an area for the smaller purposes—I mean the parish of Kensington, which has 160,000 population, and an area as great as that of most of our largest provincial towns. But no one can deny that the Metropolis should be freed from all the remaining vestiges of Middlesex and Surrey county administration, and that for the larger purposes, it would be well—if the jealousies which prevent it could be removed—that the City and the Metropolis should be sufficiently amalgamated to give us a body which might be entrusted with the control of the main thoroughfares for traffic, of the bridges, embankments, public parks, and gardens and commons, with the prevention of fire, with the representation of London for ceremonial purposes, the reception of great personages and foreigners of distinction, the celebration of public holidays—and, if the ratepayers wished it, the control of the supply of water and of gas. The Metropolitan Board cannot carry its Bills; not, as is alleged by the hon. Baronet, from any fault of its own. This charge is one which is most unjustly brought against the Metropolitan Board. It is entirely the fault of this

House for treating Metropolitan Bills as Public Bills, which brings them under the operation of the half-past 12 rule, so that it becomes in the power of any one Member to stop their progress. Every other town is allowed to carry its Bills as Private Bills; and, if we were allowed to treat ours in this way, they, too, would become law. The case in which the Metropolitan Board are open to a charge of gross neglect of duty is that of the prevention of Thames floods within the Metropolitan district. Their conduct upon this subject last year certainly showed an utter want of all true understanding of the importance of the functions with which they are charged; and I fear that they are about to repeat their error in the present Session; but those of us who have occasion to attack them warmly for the matters in which they have gone wrong, ought to be very careful not to blame them in the cases in which they have been right. In conclusion, let me once more repeat that, while I cannot agree with all that has fallen from my hon. Friend, I think that he has made out a clear case for reform; and I shall cordially support him if he goes to a division, which I think, after the speech of the Home Secretary, he cannot choose but do.

Mr. NEWDEGATE said, that the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke), the author of *The Greater Britain*, had treated the subject in a more worthy and practical manner than the author of the abstract Resolutions which were before the House. The hon. and gallant Baronet the Chairman of the Board of Works (Sir James M'Garel-Hogg) had ably defended the body of which he was the Representative, and since then he (Mr. Newdegate) had not heard any reason adduced against the action of the Board, except that which had been alleged by the hon. Baronet the Member for Chelsea, who blamed the Metropolitan Board of Works for not having assumed the responsibility of guarding against the repeated flooding of the populous district on the south side of the Thames. The hon. Member had, however, totally omitted to notice the fact that the Board of Works had called upon the proprietors of that district to do the work of embankment, which it was their duty to carry out, and that they were doing it, and that the result must be a great saving of public money—that was the only accusation which had been brought against the Board of Works, except the accusation that their Chairman had not been able to pass through that House Bills for concentrating in the hands of the Board the supply of gas and the supply of water for the whole Metropolis. Judging by the enormous expenditure which had already accrued, and was still accruing, in the larger towns of this country for those purposes—and he might mention Birmingham among them—he considered that if there was to be any economy hereafter in the supply of these necessaries—and the supply of these was at present sufficient in the Metropolis—it was essential that some control should be exercised over the expenditure; for the vice of the system adopted in Birmingham, whereby the Corporation became contractors for both water and gas, and there remained no disinterested superintending authority, for the Corporation had superintended the gas and water companies it had superseded, but could not superintend itself. If that was an evil, which he knew was felt among his constituents in Birmingham, what would be the magnitude of the evil, if that same defect were imported into the local administration of the Metropolis?—the enormous increase of local and corporate indebtedness. The serious effect of this absence of control had already been noticed by the Chancellor of the Exchequer and by the President of the Local Government Board, and he trusted that this House, in arranging municipalities for the future, would guard itself against constituting the Board of Works, or any other corporation traders in public money, without supervision. He (Mr. Newdegate), like the hon. Member for Chelsea, with whom he had the privilege of serving on the Select Committee on Public Business, was, moreover, aware that it was not the fault of the Chairman of the Board of Works that he was not able to pass the Bills he had introduced. The one simple reason for that was, as they all knew, the absolute impediment experienced by unofficial Members who attempted to pass opposed Bills through the House, owing to the lamentable accumulation of Orders—that was, of Bills in the Order Book. The hon. Member for Chelsea had acquitted the Chairman of the Board of Works on that score; but what he (Mr. Newdegate) lamented was, that the right hon. Gentleman the Member for the University of London (Mr. Lowe), to whose speeches on the subject of Electoral Reform he had always listened with admiration—speeches which had made him (Mr. Newdegate) congratulate himself upon the fact that there was yet one Member of the House who could take a wide, profound, statesmanlike, and Constitutional view of that great and other cognate questions—should suddenly, upon so important a question as the one before the House—the great question of Corporate Reform—forget all his own reasoning against massing constituencies for direct representation. Who could have believed that the author and utterer of those admirable sentiments was now prepared to vote for lumping humanity, and then cutting it into slices like cheese, with a view to providing for the administration of the affairs of this Metropolis? Upon looking at the Resolutions before the House, he (Mr. Newdegate) observed that the first only affirmed that there was need for reform. Well, he knew of no human institution that would not be better for reform. He did not believe in the perfectibility of human nature. He did not believe in the infallibility even of the Pope. He did not believe that that House itself was perfect. He did not believe that they would be able to constitute any perfect machinery for the government of mankind, unless they imported from another sphere some perfect agency such as did not exist in this world. But what was the next Resolution? He owned he felt surprised when he heard the hon. Member for Chelsea say that he might be induced to vote for uniting the whole Metropolis under one administrative authority directly representing the ratepayers, and so constituted—and here was the difficulty—as to command general confidence. Now, there was the difficulty. Any man who had had to extemporize an organization—and he, for one, had had to do so—must know that the first element of organization was sub-division; and he would like to know what better system of sub-division they could have than that of the parochial system? When he acted as Chairman of the Distress Committees in his own county, after the passing of the French Treaty in 1861, it was his function to frame a system and rules for organizing relief, which afterwards became the basis on which the Relief Committees throughout Lancashire and Yorkshire, during the Cotton Famine, were organized. That became a municipal organization. What was the fundamental and primary basis of that organization? The breaking up the administration of relief into such fractional sections that those who undertook to administer relief should have a perfect knowledge of those to whom they administered it, and have a sense of their own direct personal responsibility from neighbourly contact in that administration. If conforming to the system which had grown up of late, of lumping humanity into great masses, and carving it like a cheese for the purposes of administration—if that was to prevail, they would certainly not improve, though they might alter; and, in the case of the Metropolitan Board of Works, they would destroy its really popular character. Could anything show more plainly that the hon. Mover of the Resolutions was a pupil of the modern political philosophy—if philosophy it could be called—which treated human nature as if it were mere material, and proposed to divide it as they would cut a plum pudding, without reference to the natural and social relations of those who were to be governed, and to govern; thus abandoning all hope of support from social influences. Surely it was a proposal utterly unworthy of one who presumed to call himself a political philosopher! He (Mr. Newdegate) distrusted the system, because it would concentrate all authority in a manner that would deprive authority at once of local knowledge, of a just sense of responsibility, of the prime elements of trustworthiness, and thus of the respect of the humble, while it would fail to command the confidence of property. It would thus lack every element which had hitherto constituted the strength of the municipal system of this country.

MR. GOSCHEN said, the speech to which they had just listened with so much interest and pleasure did not remove the impression from his mind that hon. Gentlemen opposite were agreed to treat the question in a jocular spirit. ["No, no!"] The right hon. Gentleman the Home Secretary gave them an example of the fun with which the question was to be dealt with; and if the noble Lord the Postmaster General had heard the first part of the speech of his right hon. Colleague, he would not have rebuked his (Mr. Goschen's) right hon. Friend the Member for the University of London for the comments he had made. The noble Lord asked the right hon. Gentleman why he had not dealt with the question when in Office? Well, it was infinitely easier for the present Government to deal with the subject than it would have been for the late Administration, who would, if they had ventured on doing what was necessary, have encountered the strenuous opposition of the Conservative Party; this, however, he would offer, that if the present Administration undertook the task, they would meet with support and sympathy from that side of the House. Could the noble Lord opposite say that, in such a case, the Liberal Party would have received his support and that of his Friends?

Lord JOHN MANNERS said, the support of the Conservative Party to be given to any such reform would have depended on the excellence of the proposed measure.

Mr. GOSCHEN said, that, at any rate, was not their experience. His right hon. Friend had spoken of the fact that the three Conservative Members for the City had taken no part in the debate; and, for his part, he (Mr. Goschen) drew from it the inference that the City authorities had changed their attitude, and that, while they would keep a watchful eye on their own interests, they were ready to look with favour on a well-considered scheme of reform in a totally different spirit from that of a few years back. Considerable disappointment had been created that evening by the tone of the Government in reference to this question. If the Government had been inclined to treat the matter seriously, there would have been a disposition to withdraw the Resolutions; but, in the circumstances, he thought it would be necessary to take a division. The speech of the Home Secretary was ingenious, but it was not encouraging; and he (Mr. Goschen) would, therefore, give his support to them.

Sir GEORGE BOWYER said, the difficulty surrounding the question was neither legislative nor administrative, but historical. There was no anomaly in the City of London, taken by itself, and it did not require reform. There would have been no anomaly at all if the City of London was what it once was, and was not surrounded by an enormous extent of suburbs, making, with the City proper, an aggregate population of over 4,000,000 souls; but now there had sprung up around London a great city, and it was proposed to place it under a municipal body, which should be elected by the ratepayers. A body so elected would be unlike any corporation in the Kingdom. He asked the House to consider what a power they would be creating. Within the area of its government would be the residence of the Sovereign, the Houses of Parliament, and the Law Courts. He would not take the unpopular course of speaking of the wisdom of our ancestors. But history must not be neglected, and it was remarkable that the Crown had abstained from constituting a corporation in the city of Westminster, where the seat of Government was. It would be a serious experiment to create such a great municipality, the population of which was greater than Scotland, and equal to Ireland. The view at which he had arrived, after much thought, was, that it would be best to grant charters of incorporation to each of the Parliamentary boroughs situated within the Metropolitan area, and to leave in their hands the management of their own municipal affairs. He could not help thinking that it might be dangerous to the Throne and Parliament, and, therefore, to the Constitution, to create one vast and powerful municipality—more vast and powerful than any other known in history—in the immediate neighbourhood of the residence of the Sovereign and the seat of Parliament, and comprising all the Offices and Departments of the Government. The experiment which the hon. Baronet the Member for Hastings (Sir Ughtred Kay-Shuttleworth) asked Parliament to make was without precedent; it was a vast experiment and a leap in the dark, and he asked the House to consider most carefully before acting on the suggestion of the hon. Gentleman.

Mr. SAMUDA observed, that the effect of the Resolutions, if agreed to, would be to create a universal municipality, which was practically to be that of the present

City of London. The result of the proposal would be to erect an acting Board on such a scale that it would be impossible for it to work. If it were desired to meet local requirements, the best plan was to leave the management of affairs in the hands of persons acquainted with those requirements; and, instead of concentrating the whole of the Metropolitan authorities into one Board, they ought to be divided and left separate and distinct, each having a municipality of its own. There would be no objection to bringing about a fusion between the Corporation of London and the Metropolitan Board of Works, provided the difficulties that must necessarily arise in making such an attempt could be got over, and they could be got to work harmoniously together. He did not wish to throw the whole management of such great matters as the gas and water supply of the Metropolis into the hands of a Board, but should prefer to see them managed by men who had devoted their whole lives to carrying them on. He thought it a great mistake to vote in favour of an abstract Resolution, and that the proposition would not in any way improve, or tend to improve, the state of things which at present existed. The only proper way of dealing with a measure of this sort was to deal with it as a whole, by bringing in a well-considered measure on the subject.

Question put.

The House *divided*:—Ayes 116; Noes 73: Majority 43.—(Div. List, No. 99.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

THE EASTERN QUESTION AND THE CONGRESS.

QUESTIONS. OBSERVATIONS.

Mr. GLADSTONE, on rising to inquire, Whether Her Majesty's Government require of Russia that she shall undertake, before the assembling of the Congress, not to withdraw therefrom before discussion on any proposal which any Power may make at the Congress; and, whether they intend to place their own liberty of withdrawal under a similar limitation? said: Sir, I am very sorry that I did not succeed in making myself intelligible to Her Majesty's Government yesterday in the two Questions which I placed on the Notice Paper, or in the purpose for which they were asked; for it has obliged me, as I consider the purpose material, to enter into some explanation, which, perhaps, it might have been more convenient to the House to hear at the time, if it had been consistent with its Rules. Now, I wish to state explicitly, that the purpose which I have in view in putting these Questions is not controversial, but in every sense a pacific one. ["Oh, oh!"] Yes, I say pacific, notwithstanding the signs and observations which I observe are made upon the other side of the House. There are plenty of matters in the broad field of the Eastern Question upon which there have been, and I fear may yet be, a serious difference of opinion among us; but I am bound to believe that Her Majesty's Government were very anxious that the Congress should meet, and in that respect I believe, also, that anxiety is shared by a very large majority of this House. I, for one, am therefore extremely anxious to know if there be, as there seems to be, a difficulty in the meeting of the Congress; and, if so, what that difficulty exactly is, and if it be of an insurmountable character? I will first explain what I conceive the state of the facts to be. Her Majesty's Government asked the Government of Russia, in order to secure a free and sufficient discussion of the San Stefano Treaty in connection with former Treaties, that every Article in that Treaty between Russia and Turkey should be placed before the Congress, not necessarily for acceptance, but in order that it might be considered what Articles required acceptance or concurrence, and they asked whether the Government of Russia was willing to communicate the entire Treaty to the Conference, in order that the whole Treaty, in its relation to existing Treaties, may be examined and considered by the Congress? It seems to me that it is a purely elementary proposition that the new Treaty must be considered in connection with the old Treaty by the Congress. Then comes the answer of the Russian Government, that it leaves to the other Powers the right and liberty to raise such questions as they may think fit to discuss, and they reserve to themselves the liberty of accepting or not accepting the discussion of those questions? Now, a great deal turns on the meaning of those words. What is meant by accepting or not accepting a discussion of those questions? So far as I can understand, there is a serious difference of interpretation put upon those words by different persons. For my own part, I should think that the words are sufficiently clear, and that accepting a discussion is equivalent to assenting to be present at the discussion, and taking part in it. That is how I understand it; and, if it be so, the question would then arise whether that is a right belonging to Russia and every other Power at the Congress? I have said that I apprehend it is the duty of the Congress to consider the relation of the new Treaty to the old one; but I also apprehend that it is by international usage, which constitutes law, the absolute right of every Power meeting at the Congress to withdraw from the Congress at such time as it shall think fit. That is the right which, as I understand and suppose, is claimed by Her Majesty's Government, and, if so, I think it is a just claim; and it is a question of the utmost importance to know whether they will allow to Russia the right which they so claim for themselves—if they so claim it. That, I confess, appears to me to be a question of principle of very great importance. I am extremely anxious that the Congress should be held, and if it cannot be held on account of the objection taken by Her Majesty's Government, it should be a sound objection, more especially as it was one which was taken upon their own responsibility, and one which I do not find that any other Government has concurred in. Now, Sir, I am desirous of knowing whether that liberty of withdrawal is acknowledged on the part of Russia? It appears to me, I confess, that that liberty to withdraw is perfectly consistent with the doctrine that the Congress must consider the relation of the new Treaty with the old one; because I hold it to be perfectly clear that if Russia should choose to withdraw from the Congress, her withdrawal can in no respect whatever, or in the slightest degree, diminish or abridge the right of the Congress to consider and deal with the subject. If there be matters on which it is necessary that the Treaty of San Stefano should be altered—if there are matters on which it should be necessary, in the judgment of Europe, that force—I put the extremest case—should be used for the purpose of altering the Treaty, whatever the right of Europe might be to arrive at one or the other of these conclusions, it could not in the smallest degree be affected by the withdrawal of Russia from the Congress. If, therefore, the meaning of Her Majesty's Government be that Russia has no right to withdraw the Treaty, or any part of the Treaty, from the judgment of the Congress, that I conceive to be a proposition which it is impossible to demur to; but if it be the proposition that Russia has no right to withdraw herself from the deliberation of the Congress when she pleases, that is a proposition which, I apprehend, would constitute a deviation from the general practice of these Assemblies, and, consequently, I do not see how any arrangement to that effect could be made to the disparagement of Russia, unless similar arrangements were allowed with reference to the other Powers. Nor do I see how such an arrangement could be made, except by the deliberation and determination of all the Powers. What I am, therefore, desirous of knowing is, with respect to this question, whether, in the view of Her Majesty's Government, the demand of Russia that she shall be at liberty to accept or not to accept the discussion of these questions, amounts to a claim to withdraw the Treaty, or any part of the Treaty, from the cognizance of Europe?—that, I confess, does not appear to me to be the meaning of the words. The meaning seems to be that she may withdraw herself; and I do not know how you can deny that every Power has the same right of withdrawal from any and every Congress. It will be a matter of great satisfaction, indeed, to me, if I find that that is all that is intended by my right hon. Friend and the Government upon the point. I, for one, am most desirous to agree that his meaning is, that the Government would consent to nothing which shall in the slightest degree recognize the right of Russia to abridge the title of the assembled Powers to discuss any of the Articles of the Treaty which they may please. To that extent I am prepared to go. If I am asked to say that Russia is to come under an engagement to remain in the Congress during a discussion which appears almost to imply that the desired result is open to modification, though there might be a case in which Russia might concede that, yet it might be she might think that her honour did not allow a modification, and that she must be the guardian of her own honour. I do not see how an arrangement of that kind could be made except by common consent. Of course, I need hardly say that I conceive the broadest distinction must be drawn between the possession of a certain discretion, and the manner in which that discretion may be used. We have had placed before us, I think now for nearly a week, upon anonymous, but not unimportant, testimony, and for a day upon higher and responsible testimony, a statement that it is the intention of Russia to refuse her assent to any discussion upon the question of her abstraction of a portion of Bessarabia from Roumania. Well, for my part, I cannot conceive a more unhappy or deplorable resolution than such a resolution, if it has been taken. I think it would be entirely premature at this moment, and very presumptive on my part, to go further, and say what I think might be the rights of Europe, or what I think might be the possible disposition of Europe in regard to such a question; but the House, I think, will agree with me in drawing a distinction between the question in what way such a discretion is to be used, and the possession of that discretion. I would illustrate what I mean by saying that I can conceive cases in which it would be right, either for the Government of Russia or the Government of Great Britain to refuse to take any part in discussions which might be raised at the Congress. It is quite possible that at the Congress there might be questions raised as to the little territory of Montenegro. Those discussions, without doubt, would be, I should presume, entirely admissible, so far as they regarded the particular conditions under which Montenegro is to exist, whether its territory is to reach to the Oyana River, and what particular points it is to include in the direction of Nicsics or any other direction. But there is a provision in the Treaty that Montenegro shall be independent—the acknowledgment of that independence *de jure*, which was tolerably well established *de facto* by the gallant fighting of 400 years, has been obtained by Russia from Turkey. As far as I can understand the circumstances, however, and what constitutes honour, if I could put myself for a moment in the position of Russia, nothing in the world would induce me, after having obtained that acknowledgment from Turkey, and after the engagement I had contracted with Montenegro—indeed, I cannot conceive how I could be otherwise than bound in honour to maintain it, and to give it effect, and to have nothing whatever to do with impairing it. Consequently, I can conceive that Russia might be of opinion that for her to pretend to take part in a discussion whether Montenegro should be independent or not would be a mockery and a deceit practised upon the other Powers, she having in her mind all the time a full and an inflexible determination that, so far as she was concerned, that independence would not be impaired. It appears to me that a Power under such circumstances would be entirely warranted in withdrawing altogether from such a discussion, and would be absolutely bound in honour to tell the Powers assembled at the Congress of the inflexible and immovable determination which it had formed. But I do not say that that would in the slightest degree affect the title of the other Powers of Europe to consider and discuss as to the independence of Montenegro. I think that if they were to deal with it, they would commit a most deplorable error, entirely to their dishonour and discredit; but that is an entirely different matter, and their right under the Treaty to deal with it would not be made one whit the less or one whit the greater by the withdrawal or the presence of Russia. I have said, also, that I can conceive a case in which a similar course might be incumbent upon the British Government represented at such a Congress. There is a provision in the Treaty of San Stefano that the Congress shall make arrangements with regard to the passage of vessels of war through the Straits. Supposing it were proposed at the Congress, that the Congress should make over to Russia, jointly with Turkey, the regulation of the passage of vessels of war through the Straits, I conceive it to be very possible, and, indeed, not improbable, that the British Government would entirely decline to enter into that discussion. As far as I can understand, their public duty would be not to entertain such a proposition; and, whether they were present at the discussion or whether they were not present, they could not accept such a discussion; and it would be their absolute duty not to waste words upon the subject, or bandy arguments this way or that, but to let it be known that such an arrangement as a surrender of the control of the Straits by Europe to the two Powers, Russia and Turkey, was an arrangement to which they could be no party. So far, it seems to me, that in such a case, the British Government could not accept the discussion; but, at the same time, the rights of other Powers to enter into such a discussion, whatever they might be, would not be in the slightest degree affected by the withdrawal of Great Britain from that discussion. Therefore, I am desirous to know, whether by that liberty of accepting these discussions, or not accepting them, the Government understand Russia to claim the right of withdrawing them from the cognizance of the assembled Powers? for this point appears to me to be a point lost in great obscurity. I greatly doubt whether such can be the meaning of the words; and, at the same time, I think that almost all who hear me must be of opinion that it is highly desirable that the meaning of the words should be completely revealed and understood. I hope I may assume that, whether that be so or not, Her Majesty's Government recognize this — that all Sovereign Powers attending a Congress must attend it with equality of rights and privileges. It is evident that Russia takes her ground, in part, upon the allegation that the equality of her rights is threatened, because I find in the despatch these words—

> "The same liberty which she does not dispute to others Russia claims for herself. Now, it would be to restrict her, if alone among all the Powers, Russia contracted a preliminary obligation."

She appears, therefore, to think that there is something intended to be taken away from her of that liberty which is enjoyed by the other Powers, and it certainly would be very satisfactory to me to hear from Her Majesty's Government that they admitted frankly that all Powers met for such a purpose, if they are to meet usefully, must meet honourably, and that to meet honourably, and without want of self-respect, they must meet with equal rights and equal privileges. I think the knowledge that such is the view of the Government would be a knowledge that might be possibly very useful in the present state of affairs. I can conceive that the Government might take another view, and not consider that it would be desirable that all discussions whatever should be permitted, and that no Power should exercise its liberty of withdrawal except after hearing the discussion. I can conceive that to be possible—I know not whether it is so or not—but I would venture to observe that if that is the view of Her Majesty's Government, the point is raised in the Question which I propose to put. If there is to be that limitation of the liberty of withdrawal I therein state, what I should hope to be the view of Her Majesty's Government is that the limitation must apply to all alike; and, even then, I would venture to add a single observation—that such a limitation of the usual privileges exercised at a Congress could hardly be arranged between two Powers in separate correspondence. If they bound themselves to one another, they could bind nobody else. They could not determine the course to be taken at the Congress by any other Power whatever; and, moreover, they would be entirely departing from the precedent which has been followed on other occasions, especially on the great occasion of the Congress at Vienna—they would be departing from the usage which it appears to me obvious good sense recommends—namely, that all these matters should be regulated by the Congress itself, which alone can lay down its own proper rules of proceeding. To that point, Sir, I was desirous to advert in the second Question which I had upon the Paper yesterday. Her Majesty's Government received an evidently well-intentioned, and, I confess, as I thought, a very wise, proposition from the German Government, that in some way or other, I care not what, the Powers should come together to get over this difficulty. For, when we consider what Congresses are, that they are at present the only instruments that can give a hope to mankind of diminishing the occasions of resort to the horrible and barbarous remedies of war—to employ anything less than the utmost zeal and care in an endeavour to avoid any dangers or difficulties which might bring the project for a European Congress to shipwreck I can hardly conceive to be possible. I hope that our conduct in this matter will be such as to show that no charge of that kind can apply to us. I am extremely anxious to see whether or not there is ground for an agreement as to the discussions of the Congress, and I am anxious also that the extravagant and ambiguous claim which has been made by Russia—such as I should conceive to be any claim by Russia to restrict the liberty which the other Powers would enjoy of discussing any of the questions which may arise on the Treaty if they see fit—I am anxious that that fact should be clearly and distinctly known, and that the blame should be laid at the doors of those to whom it belongs. I confess I am also anxious to learn from Her Majesty's Government—what I assume must be their feeling—that they frankly admit, what is not stated in this Correspondence, the principle of equality amongst the Powers. And I should further venture to entertain the expectation and the earnest wish that there may be a disposition to favour a principle—the more rational and becoming method—of endeavouring by preliminary conversations and communications, not carried on in the curt form of very concise and summary despatches, in which really the propositions and answers are fired off almost like cannon balls, but to employ the principle of explaining and ascertaining each other's meaning. I hope they are disposed to favour that method of communication, and that the answer which has been given to the friendly proposition of Germany is on that account to be considered with respect to the circumstances of the time at which it was given, and not as of an exclusive character, or as one expressing any principle.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have listened with the best attention I could to the observations of my right hon. Friend; but I must confess I do not see precisely what advantage he proposes to obtain for the country, or for himself, by raising a discussion of this kind. He stated in the beginning of his remarks that his object was not controversial, but pacific. Now, I wish to say, on behalf of Her Majesty's Government, that our wish in all this matter has been not controversial, but pacific. We have been invited, at a very critical period in the history of Europe, to take part at a Congress, which was to settle a very large and important body of questions. We have expressed our entire willingness to enter into that Congress. We have never withdrawn our willingness to enter into that Congress; but, before entering into it, we have desired it to be well understood what the Congress was to be about, and what questions are to be discussed; because it would be undesirable, and would actually frustrate the object, to enter it without any such clear understanding, and, after arriving at the Congress, expecting to discuss the questions for which it was supposed to be assembled, to be told that such-and-such a matter was not before them and could not be completely and freely discussed. All, therefore, that we have done, is to express a wish, and to make it a condition of our entering the Congress, that it should be clearly understood that the whole of the Treaty of San Stefano—the whole of the Treaty between Turkey and Russia—should be submitted to the Congress for its consideration. I understand my right hon. Friend himself to admit that is a perfectly legitimate claim. I understand that he considers that the Congress could not properly do its work unless every article of that Treaty was to be considered in its relation to other Treaties. Well, that is all that we desire to understand, and we have endeavoured to ascertain whether it would be so. We find, from the Correspondence which has passed, that the claim which we have made, that before entering the Congress we should understand that every Article should be submitted to the Congress, is a claim which the Government of Russia is not willing to admit. That is the whole position; and I really think that we should be not only losing time, but actually endangering the settlement of these questions, if I were to attempt to follow my right hon. Friend into the discussion which he has raised. It is, no doubt, a very interesting discussion, as to the precise signification and weight of certain terms—for instance, whether we should take the word "withdraw" as a transitive verb, meaning to withdraw the Treaty, or as an intransitive verb, meaning to withdraw ourselves—whether we are to understand that one Power proposes to discuss something which another Power has refused to discuss or wether we are to discuss first and withdraw afterwards. These are all questions which, no doubt, are scholastically interesting; but I think at the present moment, and with a practical view, we are better consulting the interests of the country and the settlement of these questions by taking the simple line which we have taken, and which we still adhere to, that we are ready to enter the Congress if we are to understand that the whole of the Treaty is to be submitted to it. I really do not know, if I were to speak for an hour, that I could say anything more to the purpose.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

WAYS AND MEANS.—REPORT.

Resolutions [April 4th] *reported.*

First Resolution *agreed to.*

Second Resolution read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

SIR CHARLES W. DILKE wished to point out that a great amount of smuggling took place at the present time. The smallest increase in the duty would cause the amount of smuggling still further to increase. He had been informed, on reliable authority, that the greater portion of tobacco smoked in the country at the present time was smuggled. The statement might seem exaggerated, but it was from the authority of Mr. Mark Blom. From a Return which he held in his hand, it appeared that 16,000 lbs of smuggled tobacco had been seized in a single year, and the Customs authorities had themselves stated that the extent to which smuggling was carried on could hardly be inferred from those figures. There was one other point connected with the character of the tobacco duty to which he would refer. There was no other tax which pressed so unequally upon high and low-priced qualities of goods. The effect of it was that the tax was 1,200 times greater on some tobaccos than on others. It absolutely prohibited some Indian and some Burmese tobaccos from being brought into the country. While the duty was over 1,000 per cent on some of the cheaper tobaccos, on others it was no more than 5 or even 1 per cent. In France, tobacco was a State monopoly, and the poor were there comparatively better off, as regarded the quality and price of tobacco, than they were in this country at the present time. An enormous revenue was made by the State from tobacco, while the duty was only about 6½*d.* per lb, yet it was proposed to raise the duty in this country to 3*s.* 6*d.* per lb alike on the high-priced and the low-priced tobaccos.

MR. RYLANDS: I think, Sir, that this tax is open to very serious objection. I do not wish to go into the question which we may have to consider later on —namely, the question as to whether, in the commercial circumstances of the country, there is any justification for the Government proposing so large an increase in the Estimates. If they do not stop short in this career of extravagant expenditure, the House must see that the increased burdens do not press heavily upon the working classes. We are now called upon to say in what way the burdens are to be laid upon the backs of the people, and I object to the particular way in which the right hon. Gentleman proposes to impose that burden. I daresay the right hon. Gentleman, and other hon. Gentlemen, will say —"If you do not put on this duty, how are you to raise the Revenue?" I say we have nothing to do with that; we are not to be called on, as independent Members of Parliament, to say what burdens are to be placed on the public shoulders. We have a right to show that the proposed burden would be improperly and unwisely laid, and I think my hon. Friend below me (Sir Charles Dilke) has shown a very strong objection, indeed, to this particular burden on the shoulders of the people. You may say that the smoking of tobacco is a luxury, and if the people choose they can do without it. That is a very common fallacy. You are continually saying to the people—"You can, if you choose, do without taxable commodities." Very well, how are we to carry out the idea that everyone of us can give up luxuries? Are we to go back to a savage state of existence? We say we will not go back to a savage state of existence. We do not ignore the luxuries of life; and, provided we can pay for them, we, no doubt, enjoy them; and can we go to the working classes and say—"Give up this small comfort—this pipe of tobacco that you enjoy after a hard day's work—you can do without it." You tell these poor men that they might get out of the tax by getting rid of the comfort. I am not prepared to take that course; and I say, in levying a tax upon a commodity, you must take care to lay it on so that it will press equally upon every class of society; but this is a tax upon the man that smokes a pipe of cheap tobacco far greater than upon the man who smokes the best cigars. I protest against it, because I object to this system of taxation. I decline to be drawn into the controversy as to what is a better duty; and I leave it to the Chancellor of the Exchequer, for whose ability I have the greatest respect, and I have no doubt that if we refuse his present proposal, the right hon. Gentleman will discover some other mode of putting the tax on other people's shoulders in order to get the money he requires.

Mr. HERMON did not think it was fair that the working classes should be exempt altogether from taxation. It was not pleasant for the wealthier classes to pay Income Tax, nor was it pleasant for the working classes to pay a farthing extra for every ounce of tobacco. But the working classes looked at the matter from a reasonable point of view, and were willing to bear their share of the burden for the good of the country. The views of the working classes on the Eastern Question had been very freely expressed; and, if the Chancellor of the Exchequer did not lay upon them their due share of the increased taxation, he would be taunted with having endeavoured to bribe them because they had shown a disposition to support Her Majesty's Government. He would, further, take this opportunity of expressing his satisfaction that the Chancellor of the Exchequer had not interfered with the principle he had laid down of paying off annually a portion of the National Debt.

Major NOLAN thought the tax upon tobacco very heavy and inequitable. At the present time the working classes paid the bulk of the taxation of the country, and the proposed increase would be one of a most unpopular character in Ireland.

Mr. PEASE thought the hon. Memfor Chelsea (Sir Charles W. Dilke) could not be right as to the amount of smuggling that went on. It was impossible for smuggling to be carried on to any great extent, considering the strictness of the Customs authorities. The tobacco tax was that part of the Budget which pleased him most; for, as it was well known, tobacco was a rank poison. The Report showed that year by year its use was becoming greater, and it ought to be highly taxed.

Mr. MUNTZ said, that if tobacco were a poison, it was a very slow one, for he had smoked it for 50 years. He thought it a mistake that a halfpenny extra duty had not been put on tobacco, instead of a farthing, because the consumer would pay a halfpenny extra, and the difference would go into the pockets of the dealers.

Mr. MUNDELLA was of opinion that, instead of being unduly taxed, the working classes were unduly spared from taxation. Thus, £3,600,000 was raised from Income Tax, while £780,000 came from tobacco duty. But the mistake was that an increased duty was not levied on alcohol. The incidence of the tax on tobacco was unequal, because the consumers of a lower quality of tobacco paid very much more than those who purchased the better sorts. As they were increasing this tax, there ought to have been some attempt to adjust its incidence. That spirits ought to be taxed in preference to tobacco was evident from the fact that they were less easy to smuggle than tobacco. The taxes on spirits could not be mathematically adjusted; but it would be highly desirable to put a greater duty on alcohol, the consumption of which was steadily increasing.

Mr. FAWCETT said, that unless a satisfactory explanation were given by the right hon. Gentleman the Chancellor of the Exchequer as to the principle of the Budget, he should feel it his duty to raise a distinct issue with regard to it on some future occasion. With respect to the remarks of the hon. Member for Chelsea (Sir Charles W. Dilke), it seemed to him (Mr. Fawcett) that they had been entirely misunderstood by the hon. Member for Preston (Mr. Hermon). There was at present a radical inequality in the system of indirect taxation; for, on those articles on which no *ad valorem* tax was imposed, the poorer classes had to pay in the shape of duty a great deal more than the rich. To take, for example, the tax on the lower qualities of tobacco. The consumer of those qualities paid about 1,200 per cent, while, on the higher qualities, the tax was hardly anything at all. The tax on tea consumed by the poor man, at 1*s.* 6*d.* per lb., amounted to from 33 to 40 per cent, while the qualities consumed by the rich only paid 14 or 15 per cent. But there seemed to him to be a very great omission from the discussion, when hon. Members spoke as if there were only two classes in this country—the upper and the lower classes. There was another great class — the struggling middle class—on whom the inequalities of indirect taxation bore very heavily. The man who paid 1*s.* for a bottle of some liquor or wine paid greatly more in the way of duty than the buyer of champagne or claret at 70*s.* a-dozen. That was a radical inequality in the present system of indirect taxation, which would be aggravated by the increased taxation of tobacco, unless something were done to alter its incidence in the manner suggested by the hon. Member for Chelsea. The point to which he wished to direct the attention of the Chancellor of the Exchequer was the question whether the working classes or the middle classes contributed too much to the taxation of the country. The point on which he desired an explanation from the Chancellor of the Exchequer was this—The Budget, as far as it imposed additional taxation, did so in order to meet exceptional expenditure, demanded by the Government for placing the country in a proper state of defence. There might be exceptional expenditure for other purposes—for instance, there might be exceptional expenditure, as resulting from a demand of the great majority of the electors to carry out some national purpose. He wished to protest against the principle laid down by this Budget, that where there was exceptional expenditure, five-sixths of that exceptional expenditure should be borne by a small minority, and the remaining one-sixth by the majority who, with a democratic suffrage, had the power of insisting that the exceptional expenditure should be carried out. He desired to ask the Chancellor of the Exchequer what his reason was for making this extraordinary difference in the amounts to be borne respectively by direct and indirect taxation? The question was the more serious because of the exceptions made by the Chancellor of the Exchequer a year or two since, when he considerably diminished the number of contributors to the Income Tax. It was, he believed, no exaggeration to state that five-sixths of the exceptional expenditure was going to be thrown upon the shoulders of one quarter of the electors of this country. Therefore, this Budget sanctioned the principle—and it was, in his opinion, neither a safe, sound, nor just principle—that those who demanded that expenditure, the majority of the enfranchised people, would have to bear no more than the insignificant fraction of one-sixth of the increased taxation, whether that expenditure was for warlike preparations, or for any other national purpose; while five-sixths of the burden would fall upon the taxpayers of the country. Unless the Chancellor of the Exchequer gave a satisfactory reason for adopting this principle, he should consider it his duty to call the attention of the House, on some future occasion, to the important financial question which was involved.

Mr. PARNELL thought it should be understood in Ireland why the Irish Members divided against the Resolution for the increase of the tobacco duty last night, and why he (Mr. Parnell) supported the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) to-night. In making the calculation of the incidence of the tax, he found that, out of the increased sum the Chancellor of the Exchequer expected to realize by the increased duty, £110,000 would be contributed from Ireland. He certainly thought the House was indebted to the hon. Member for Chelsea for the light he had thrown upon this tobacco question, and especially for the information he had given with regard to the operation of the *ad valorem* duty. Before hearing the remarks of the hon. Member, he was not himself aware that no discrimination was made between the rich man and the poor man in this matter. He was surprised to learn that the difference was so slight—that the poor man who smoked his pipe of ordinary tobacco was, in fact, made to contribute to the Revenue as much as the rich man who smoked his shilling cigar. That was an intolerable state of things, and ought to be rectified in some way by the Government. With regard to the question, as it affected Ireland, he found that of the £110,000 which would be raised in that country by this increased duty, nearly £100,000 would, in all probability, be contributed by the poorer classes—the labourers and small farmers. In Ireland there was not an extensive middle class, nor a numerous upper class, similar to that which existed in England. The middle class of Ireland consisted chiefly of struggling farmers. Of course, there were some large graziers who were well off, but they were so few in number that they could scarcely be called a class; he, therefore, left them out of the question so far as his argument was concerned. The greater proportion of this increased duty for war purposes would fall upon the small farmers and labourers, and those were the persons in Ireland who were so badly off, and were the least able to bear this additional burden. The bad and scanty grain harvests of the last two or three years had reduced some of these farmers almost to the point of starvation, and that re-acted on the labourers and the poorer classes generally. It appeared to him, therefore, an unfortunate circumstance, that the adjustment of this tax should cause so great a portion of it to press heavily upon the Irish people, and at a time when they could least afford to make the contribution demanded of them for warlike objects. The hon. Member for Preston (Mr. Hermon) expressed an opinion, which appeared to be shared by others, that it was right and proper that a considerable proportion of the war tax should be thrown on the working classes, and that they should also feel an interest in the raising and in the expenditure of the money. It was possible that the working classes in England had a war fever on them at that moment; but that fever, at any rate, did not extend to the working classes, or to the farmers in Ireland. They did not sing "Rule Britannia!" and martial airs, which seemed to be so prevalent in the streets of London; but, if war should take place, the very class who would have to pay an undue proportion of the taxation, which the war fever might render necessary, were those who would contribute largely in fighting. That, he thought, was exceedingly unfair, and it was one of the reasons why he had voted the other night against the imposition of this increased duty on tobacco, and why he should vote against this Resolution to-night. If he had had the choice between taxing tobacco and spirits, he should have selected the latter, as the article best able to bear an additional duty; but he preferred that neither should be subject to this increased impost. His idea was the tax should fall upon champagne, claret, or some other of those wines which were consumed by the upper classes as luxuries. Had the Chancellor of the Exchequer adopted that course, he would have obtained without the slightest trouble every penny of this extra Revenue for carrying on war operations, and the burden would have fallen more equally upon the three Kingdoms than when it had to be borne by the consumers of tobacco.

MR. BURT preferred that all classes of the community should contribute their fair proportion of the taxation of the country. It had been contended by some hon. Members that the working classes should bear a greater proportion than other classes, on the ground that they were more inclined for war. He begged entirely to dissent from that opinion; and he contended that this additional tax, so far, at any rate, as it was a war tax, should fall upon fashionable people, and those who sang popular songs about fighting, and not on the working population, who, he believed, were decidedly averse to war.

THE CHANCELLOR OF THE EXCHEQUER: The discussion upon the Report of the Resolution on the tobacco duties has taken a rather wide range. Not that I am surprised it should do so; but I hope I shall not be expected to enter fully into all the questions that have been raised, some of which would be more properly discussed when we come to consider the Budget as a whole. I would rather not follow the hon. Member for Hackney (Mr. Fawcett), at the present moment, into the question of the actual relations between direct and indirect taxation. I only wish to say that I disclaim the idea of laying down any general principles such as he seems to think I propose to lay down on the occasion of an extraordinary expenditure —that the large proportion of five-sixths of that extra burden should fall upon direct taxation, and the smaller proportion of one-sixth upon indirect taxation.

I lay down no such principles, because I think it is unwise and unbusiness-like in the management of finance to tie one's hands in that way, especially when those principles come to be imaginary. To the proposition we have before us the most opposite objections have been taken. By some hon. Members, we are told that the tax is a bad one, because it is levied more highly in proportion to the value of the article, and falls so much more heavily upon the lower class, who consume tobacco, than upon other classes. On the other hand, we are told that the scheme of the Budget is bad, because too much is taken by means of the Income Tax, which falls upon the richer class, and that the poor do not bear their fair share of the burden. I think those objections, to some extent, answer one another; and I do not shrink from the discussion, which I suppose will, by-and-bye, be raised upon the subject. With regard to the other point, dwelt upon by the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) and the hon. Member for Hackney (Mr. Fawcett), as to the unfairness of the duty falling heavily upon the lower class rather than on the higher class, does the hon. Member for Hackney seriously mean that he thinks we ought to revert to the old system of *ad valorem* duty? If he really thinks that is the principle of our fiscal system, he will find that we shall be engaged in a difficult task, and cause the greatest possible dissatisfaction. If you were to attempt to tax such articles as tobacco and tea, and still more wine, according to their specific value, you would find yourself launched into a sea of embarrassment. I, for one, shall require much stronger arguments and much stronger proofs than have been presented to-night before I am disposed to take such a step as that. With regard to the remarks of the hon. Baronet the Member for Chelsea, I do not know what was the real meaning of his speech; but he seemed to me rather to glance at a system like that of countries where tobacco is made a monopoly of the State as a better mode of raising Revenue. Well, undoubtedly if tobâcco were made a monopoly of the State, it would be easier to get over the difficulty of the *ad valorem* rate; but that again would raise a very serious question which could not be decided upon a proposal for what I hope will be, not a permanent, but only a temporary, addition to the present rate. I do not go into the question as to the danger or likelihood of this increase leading to smuggling; but I can say that this addition to the Customs duty has been strongly recommended to me by my practical advisers at the Customs, and they appear to entertain no fear of such a result. I do not, of course, deny that, to a certain extent, smuggling of tobacco is carried on. I do not know that I can at all dispute the argument of the hon. Member for Burnley (Mr. Rylands), who says—"We object to this tax; at the same time we agree that if we are to have some additional expenditure you must meet it by some additional tax; but you must find some other tax than this." Then he says—"I am not bound to find any tax; it lies with the Chancellor of the Exchequer to find a substitute." Well, of couse, that is an argument used fairly and properly by hon. Gentlemen who object to any particular tax; but, at the same time, I cannot but appeal to the hon. and gallant Member for Galway (Major Nolan), with whom I should like to have some private and confidential conversation, because he has informed us of the very interesting fact, that, knowing a good deal about the working classes, he has ascertained not only what taxes they do not like, but what taxes they do like. The choice of articles already taxed, to which an addition could be made, is a limited one. Of course, there is a possibility of laying a new tax on some article not now subject to taxation. If I had to face that difficulty, the range of articles is wide enough to furnish the Exchequer with a large addition to the Revenue; but I should be exceedingly sorry, under any circumstances—and certainly I do not wish for a temporary need—to revert to taxation on any articles that have been entirely exempted from taxation. Assuming that I am not to go to any article at present untaxed, I am driven to the alternative of selecting some of those now taxed, and to consider which of them would bear an increase. With regard to the area of choice it was not a very large one, being confined to tea, spirits, and tobacco. I think that even those who object most to the tobacco duty do not desire to substitute for it an increase of the spirit duty. Spirits are now as highly-taxed as they will bear from a fiscal point of view; and, although it might be advisable, from a moral point of view, to diminish the consumption of spirits, still I think I should not have secured an increased Revenue by adding to the duty on spirits. The choice, therefore, lay between tea and tobacco. The latter article was, in my opinion, much more likely to bear an increase of duty than tea; and I believe I have acted for the best in choosing tobacco as the article to be taxed. I do not know that I need enter more fully into the question at the present time. I can only express a hope that the House will confirm the decision of the Committee of Ways and Means.

Question put.

The House *divided*:—Ayes 100; Noes 17: Majority 83.—(Div. List, No. 100.)

Subsequent Resolutions *agreed to*.

Bill *ordered* to be brought in by Mr. Raikes, Mr. Chancellor of the Exchequer, and Sir Henry Selwin-Ibbetson.

Bill *presented*, and read the first time. [Bill 146.]

BILLS OF SALE (*re-committed*) BILL.

(*Mr. Sampson Lloyd, Mr. Whitwell, Mr. Norwood, Mr. Monk, Mr. Ripley*.)

[BILL 129.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 6 (Certain mortgages to be subject to this Act as bills of sale).

Mr. SAMPSON LLOYD said, he would accept the Motion of the hon. Member for East Sussex (Mr. Gregory) to leave out the clause.

Clause *struck out*, accordingly.

Clause 8 (Exemption of existing mortgages of trade fixtures).

Mr. SAMPSON LLOYD moved, as an Amendment, before "every," in page 3, line 14, to insert "unregistered."

Amendment *agreed to*; word *inserted* accordingly.

Clause, as amended, *agreed to*.

Clause 9 (Avoidance of unregistered bill of sale in certain cases).

Mr. SAMPSON LLOYD moved, as an Amendment, to insert after "Act," in page 3, line 24, the words "within seven days from its date."

Amendment *agreed to*; words *inserted*, accordingly.

Mr. SAMPSON LLOYD moved, as an Amendment, to insert in page 3, line 24, after "Act" the words "and shall set forth the consideration for which such bill of sale is given."

Amendment *agreed to*; words *inserted* accordingly.

Mr. SAMPSON LLOYD moved, as an Amendment, to omit from page 3, line 39, the words "a period of," in order to insert the word "such."

Amendment *agreed to*; word *substituted*.

Mr. SAMPSON LLOYD moved, as an Amendment, to leave out the word "clear" in page 3, line 39.

Amendment *agreed to*; word *struck out* accordingly.

Clause, as amended, *agreed to*.

Clause 17 (Copies may be taken, &c.).

Mr. SAMPSON LLOYD moved, as an Amendment, to insert in page 6, line 30, after "bill of sale" the words "and affidavit of execution filed therewith."

Amendment *agreed to*; words *inserted*.

Mr. SAMPSON LLOYD moved, as an Amendment, to insert after "thereof" in page 6, line 30, the words "and of any affidavit filed therewith, if any."

Amendment *agreed to*; words *inserted*.

Mr. SAMPSON LLOYD moved, as an Amendment, to leave out, in page 6, line 33, "or" and to substitute "and" after the words "bill of sale."

Amendment *agreed to*; word *substituted*.

Clause, as amended, *agreed to*.

Clause 23 (Saving).

Mr. SAMPSON LLOYD, moved, as an Amendment, to insert after "thing" in page 7, line 33, the words—

> "Or any right, title, or obligation, or liability, accrued or to accrue before or after the commencement of this Act under or by virtue of such repealed Act."

Amendment *agreed to*; words *inserted*.

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

Schedules *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next.

METROPOLIS MANAGEMENT AND BUILDING ACTS AMENDMENT (*re-committed*) BILL—[BILL 132.]

(*Sir James M'Garel-Hogg, Sir Charles Russell, Mr. Rodwell.*)

COMMITTEE. [*Progress 28th March.*]

Order for Committee read.

Bill *considered* in Committee

(In the Committee.)

Clause 4 (Interpretation).

SIR JAMES M'GAREL-HOGG moved, as an Amendment, to leave out all the words from "terms" in page 2, line 25, down to "respectively" in line 28.

Amendment *agreed to;* words *struck out.*

Clause, as amended, *agreed to.*

Clause 8 (Proceedings in case of default in compliance with requirements of notice).

SIR JAMES M'GAREL-HOGG moved, as an Amendment, to insert after "apply" in page 5, line 39, the words "to any."

Amendment *agreed to;* words *inserted.*

Clause, as amended, *agreed to.*

Clause 10 (CLAUSE C. Streets, roads, &c., formed for foot traffic after passing of Act, not to be used without consent of Board for carriage traffic unless widened).

SIR JAMES M'GAREL-HOGG moved, as an Amendment, to insert after "spaces" in page 6, line 32, the word "and."

Amendment *agreed to;* word *inserted.*

Clause, as amended, *agreed to.*

Clause 11 (Power to Board in certain cases to require proprietors of theatres and music halls in use at the time of the passing of this Act to remedy structural defects).

SIR HENRY SELWIN-IBBETSON moved, as an Amendment, to insert, after "may" in page 7, line 21, the words—

"With the consent of the Lord Chamberlain in the case of theatres under his jurisdiction, and of Her Majesty's Principal Secretary of State in all other cases."

Amendment *agreed to;* words *inserted.*

SIR HENRY SELWIN-IBBETSON moved, as an Amendment, to leave out in page 7, line 31, "their opinion" and to insert the words "the opinion of the Board."

Amendment *agreed to;* words *substituted.*

SIR HENRY SELWIN-IBBETSON moved, as an Amendment, to leave out in page 7, lines 36 and 37, the words "one of."

Amendment *agreed to;* words *struck out,* accordingly.

SIR HENRY SELWIN-IBBETSON moved, as an Amendment, to leave out in page 7, line 37, "Principal Secretary of State" and to insert "First Commissioner of Works."

Amendment *agreed to;* words *substituted.*

SIR HENRY SELWIN-IBBETSON moved to leave out the paragraph at page 8, line 10.

Amendment *agreed to;* paragraph *struck out.*

Clause, as amended, *agreed to.*

Clause 15 (Power to Board to make by clauses with respect to sites and foundations).

SIR JAMES M'GAREL-HOGG moved, to insert after "Act" in page 10, line 16, the words—

"The Board may further provide, by any bye-law, that in any case in which the Board think it expedient they may dispense with the observance of any bye-law made under the authority of this part of this Act, subject to such terms and conditions, if any, as they may think proper; and such terms and conditions may be enforced in like manner in every respect, as if the same had been enacted by such bye-law."

Amendment *agreed to;* words *inserted.*

Clause, as amended, *agreed to.*

SIR JAMES M'GAREL-HOGG moved, as an Amendment, to omit the words from "provided" in page 11, line 20 down to "aforesaid," in line 27.

Amendment *agreed to;* words *struck out.*

Clause, as amended, *agreed to.*

Clause 18 (Amendment of section 74 of Metropolitan Building Act, 1855, with respect to sale of dangerous structures).

SIR JAMES M'GAREL-HOGG moved, as an Amendment, to omit the words "from every" in page 13, line 32, down to "whomsoever" in line 39.

Amendment *agreed to;* words *struck out.*

Clause, as amended, *agreed to.*

Clause 20 (Power for architect and person authorized by Board and district surveyor to enter and inspect theatres, music halls, buildings, and works).

SIR JAMES M'GAREL-HOGG moved, as an Amendment, to insert after "progress" in page 14, line 10, the words "and the three months next after the completion."

Amendment *agreed to;* words *inserted.*

Clause, as amended, *agreed to.*

Clause 22 (Recovery of Penalties).

SIR JAMES M'GAREL-HOGG moved, as an Amendment, to insert in page 14, line 34, after "Part I." the words "and Part III."

Amendment *agreed to;* words *inserted.*

SIR JAMES M'GAREL-HOGG moved, as an Amendment, to omit after "Act" in page 14, line 34, the words "or by any bye-law made in pursuance thereof."

Amendment *agreed to;* words *struck out.*

Clause, as amended, *agreed to.*

Clause 23 (Provisions in this Act to be in addition to provisions of other Acts).

SIR JAMES M'GAREL-HOGG moved, as an Amendment, to omit from page 15, line 16, the second "Act" and to insert "Acts."

Amendment *agreed to;* word *substituted.*

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

SIR HENRY SELWIN-IBBETSON moved, to insert, after clause 12, the following new clause:—

(Provisional licence for new premises.—37 and 38 Vic. c. 49, s. 22.)

"A person interested in any premises about to be constructed or in course of construction, which are designed to be licensed and used within the metropolis for the public performance of stage plays, or for public dancing, music, or other public entertainment of the like kind, may apply to the licensing authority for the grant of a provisional licence in respect of such premises. The grant of such provisional licence shall, in respect of the discretion of the licensing authority and procedure, be subject to the same conditions as those applicable to the grant of a like licence which is not provisional. A provisional licence so granted shall not be of any force until it has been confirmed by the licensing authority; but the licensing authority shall confirm the same on the production by the applicant of a certificate by the Board that the construction of the premises has been completed in accordance with the regulations and conditions made by the Board as hereinbefore provided, and on being satisfied that no objection can be made to the character of the holder of such provisional licence."

Clause *agreed to,* and *added* to the Bill.

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next.

METROPOLIS WATERWORKS (PURCHASE) BILL.—[BILL 58.]

(*Sir James M'Garel-Hogg, Sir Charles Russell, Mr. Rodwell.*)

SECOND READING. ADJOURNED DEBATE.

Order for resuming the Adjourned Debate on the Amendment to the Second Reading [12th March], read.

MR. FAWCETT said, he wished to put a Question to the Secretary of State for the Home Department, with reference to the measure. This matter was in a most unfortunate position. He had ascertained from the authorities of the House that if a Bill were brought forward with regard to any other town in England for the purchase of waterworks, it would be a private Bill, and, consequently, it would be subjected to an inquiry by a Select Committee upstairs. Owing to the operation of the half-past 12 o'clock rule, the present Bill had not the least chance of ever coming on, unless the Government gave some assistance. It seemed to him that the time had now arrived when, after an inquiry by the House, the question should be determined by a Committee of the House as to whether it was desirable that the waterworks of London should be purchased; and, if so, upon what terms? He was told that a most serious evil was arising from a delay in the settlement of this question, inasmuch as a large amount of speculation in the Water Companies' shares was going on, and if the Water Companies were purchased, the ratepayers would have to pay a great deal more for them than they would otherwise have had to pay. He therefore wished to ask whether, in the event of the Order for the second reading of this Bill being discharged, the Government would offer any objection if a Motion were made for the appointment of a Select Committee to inquire into the subject? That would not pledge the Government to support this or any other Bill.

MR. ASSHETON CROSS admitted that there was a practical evil, and would have liked very much to have this Bill discussed on the second reading; for there were two questions to be considered. The first was as to whether it was wise that the Water Companies should all be amalgamated in some form and be under one management? This was a question which came, to a considerable extent, before the Select Committee which sat some time ago. Then there was a second question as to whether, if it were right that the Water Companies should be amalgamated, the Metropolitan Board of Works was the body under which they ought to be placed? He could not at present give an answer to the hon. Member's Question; but he should probably be able to do so at some future time if the Question were repeated.

MR. FAWCETT said, he would see the right hon. Gentleman on Monday and consult him on the subject.

Debate *further adjourned* till *Tuesday* next.

House adjourned at One o'clock
till Monday next.

HOUSE OF LORDS,

Monday, 8th April, 1878.

MINUTES.]—*Sat First in Parliament*—The Earl of Ravensworth, after the death of his father.

PUBLIC BILLS—*Second Reading*—Local Government Provisional Orders (Bristol, &c.) * (53).

Third Reading—Marine Mutiny *, and *passed.*

MESSAGE FROM THE QUEEN—ARMY RESERVE FORCES.

Order of the Day for the consideration of the Queen's Message, read.

THE EARL OF BEACONSFIELD: My Lords, in moving an humble Address to Her Majesty, thanking the Queen for the Gracious Message which we have recently received from Her Majesty, I think it will not be considered unreasonable that I should make a few remarks on the circumstances in which that Message has been addressed to Parliament. I assure your Lordships I shall not ask you to follow me into any narrative of the war between Russia and Turkey, or of the course which has been pursued by Her Majesty's Government during that war. When last I had the honour of addressing your Lordships on this subject—which was on the occasion of the meeting of Parliament—I remarked that during that war no noble Lord opposite had challenged the policy which we had pursued, and I thought, therefore, that I was entitled to assume that the policy on which we had acted had been generally approved; and I believe I may infer, from what passed on that occasion, that noble Lords opposite assented to my statement. But it so happened, my Lords, that at almost the very moment I was then addressing you, circumstances were occurring which gave quite a new aspect to affairs; and I think that upon those circumstances, and upon all the conduct of Her Majesty's Government consequent to those circumstances, your Lordships have a legitimate, Constitutional, and Parliamentary right to declare your opinion. With one exception, I will ask your Lordships attention only to what has occurred from the moment to which I have been alluding.

My Lords, before I enter into the details with which I shall have to trouble your Lordships, I ask permission to read an extract from an important despatch, which extract it seems to me to be necessary you should have in your minds before you can form an impartial judgment on the statement which I am about to submit to your Lordships' House. My Lords, in that State Paper, which was an answer to the Circular from Prince Gortchakoff announcing and vindicating the commencement of the war between Russia and Turkey, the Secretary of State (the Earl of Derby) argued with great ability the many reasons and considerations why we could not agree with his Highness, and why he thought the Government had made out no case for their belligerent conduct; and, finally, having given many reasons for this opinion, the Secretary of State concluded—

> "The course on which the Russian Government has entered involves graver and more serious considerations."

That is, graver and more serious than those which he had already alleged.

> "It is in contravention of the stipulation of the Treaty of Paris, of March 30, 1856, by which Russia and the other signatory Powers engaged, each on its own part, to respect the independence and the territorial integrity of the Ottoman Empire. In the Conference of London, of 1871, at the close of which the above stipulation, with others, was again confirmed, the Russian Plenipotentiary, in common with those of the other Powers, signed a Declaration affirming it to be an essential principle of the law of nations that no Power can liberate itself from the engagements of a Treaty, nor modify the stipulations thereof, unless with the consent of the contracting parties by means of an amicable arrangement. In taking action against Turkey on his own part, and having recourse to arms without further consultation with his Allies, the Emperor of Russia has separated himself from the European concert hitherto maintained, and has at the same time departed from the rule to which he himself had solemnly recorded his consent."—[*Turkey*, No. 18, 1877.]

My Lords, the reply from which I have read that extract is dated as far back as the 1st of May, 1877, and it is of the greatest importance that the House should bear in mind that at the commencement of the deplorable war which, I trust, has now ceased, this announcement was so deliberately made, and this principle was vindicated in a manner so distinct by Her Majesty's Government. My Lords, the extract which I have read conveys the keynote of our policy; it is, I may say, the diapason of our diplomacy; upon it our policy was founded; and had not those engagements been entered into by Russia, and had we not held her bound by those engagements in the face of Europe, no policy of neutrality would have been sanctioned by this country. I believe, my Lords, I may say that not alone for this, but for other countries which adopted the same policy. Well, since I had the honour of addressing your Lordships at the beginning of this Session, circumstances which were at that very time occurring, and which continued afterwards have given a new aspect to the state of affairs. Those circumstances were as follows:—About that time Her Majesty's Government received private information that negotiations were commencing, or were about to commence, between the belligerent Powers. No sooner had that information reached us, than the Secretary of State addressed to Her Majesty's Ambassador at St. Petersburg, Lord Augustus Loftus, instructions, which were as follows, and were dated the 14th of January:—

> "Her Majesty's Ambassador has been instructed to state to Prince Gortchakoff that, in order to avoid possible misconception and in view of reports which have reached Her Majesty's Government, they are of opinion that any Treaty concluded between the Governments of Russia and the Porte affecting the Treaties of 1856 and 1871 must be an European Treaty, and would not be valid without the assent of the Powers who were parties to those Treaties." —[*Turkey*, No. 3, 1878, p. 8.]

My Lords, on the 23rd of January, having received no answer from Russia with respect to those representations, the Secretary of State, pressing for an answer, telegraphed to Her Majesty's Ambassador in these terms—

> "Have you received an answer from the Russian Government to the communication which you made on the 15th inst., respecting the validity of any future Treaty?"—[*Ibid.* p 12.]

On the 24th of January—10 days after the original representations—Her Majesty's Ambassador writes to say he had received no answer himself, and adds—

> "I presume Prince Gortchakoff regarded the communication as a statement to record the opinion of Her Majesty's Government which required no answer. If an answer was to be given, it would probably be made through the Russian Ambassador in London."—[*Ibid.* p. 14.]

Accordingly, my Lords, on the day after that message was received, Count Schouvaloff read to my noble Friend the Secretary of State the following extract of a telegram from Prince Gortchakoff:—

> "We repeat the assurance that we do not intend to settle by ourselves (*isolément*) European questions having reference to the peace which is to be made (*se rattachant à la paix*)."—[*Ibid.* p. 15.]

Meanwhile, my Lords, information reached us that negotiations were now being carried on between Russian and Turkish delegates at Kezanlik, and that those negotiations were being conducted with the utmost secrecy—I may say mystery—which secrecy, we were pained to find, extended to those who had religiously and honourably observed that policy of neutrality which had been promised by the Secretary of State. In consequence of this, my Lords, on the 29th of January the Secretary of State addressed the following despatch to Lord Augustus Loftus:—

> "I have to instruct your Excellency to state to the Russian Government that Her Majesty's Government, while recognizing any arrangements made by the Russian and Turkish delegates at Kezanlik for the conclusion of an armistice and for the settlement of bases of peace as binding between the two belligerents, declare that in so far as those arrangements are calculated to modify European Treaties and to affect general and British interests, they are unable to recognize in them any validity unless they are made the subject of a formal agreement among the parties to the Treaty of Paris."

At the same time, my Lords, the Secretary of State sent the following Circular in identical language to Her Majesty's Ambassadors at the Courts of Paris, Vienna, Berlin, and Rome. Your Lordships will perceive that it contains an additional paragraph, but in other respects is substantially the same as the communication to Lord Agustus Loftus—

> "I have to request that your Excellency will inform the Government to which you are accredited that Her Majesty's Government, while they are prepared to recognize any arrangements which may be made by the Russian delegates and those of Turkey at Kesanlik with a view to the conclusion of an armistice and the settlement of the bases of peace as binding between the two belligerents, declare, nevertheless, that in so far as such arrangements may be found calculated to modify European Treaties, or to affect general interests, or those of Great Britain, they are unable to recognize in them any validity unless they shall be made the subject of a formal agreement by the Powers parties to the Treaty of Paris.
>
> "Her Majesty's Government entertain the hope that the view of the case above stated, which is entirely based upon the Treaties, and more especially upon the Treaty of London, of 1871, will receive the assent of the other Powers who were parties to those Treaties."—[*Turkey*, No. 5. 78. p. 5.]

At length, my Lords, there came the following reply from the Russian Government, in a despatch from Lord Augustus Loftus to the Secretary of State:—

> "St. Petersburg, January 30, 1878.
>
> "I have received your Lordship's telegram of yesterday, containing a declaration relative to the question of the validity of the bases of peace, and I have this morning communicated the substance of it to Prince Gortchakoff. His Highness replied that to effect an armistice certain bases of peace were necessary, but they are only to be considered as preliminaries and not definitive as regarded Europe. His Highness stated categorically that questions bearing on European interests will be concerted with European Powers, and he had given Her Majesty's Government clear and positive assurances to this effect."

Those positive assurances were repeated in communications made by the Russian Ambassador in London; and, I am bound to say, as so many remarks have been made on the conduct of that Plenipotentiary, that, so far as my personal experience is concerned, I believe he has made no representations to Her Majesty's Government which are not to be found in the instructions which he received from his own Government. Well, my Lords, this carried us through the month of January—the month in which Parliament assembled, the month in which those negotiations between Russia and Turkey commenced, and the month in which we received that declaration from Prince Gortchakoff which Her Majesty's Government was induced to regard as satisfactory. And that it was deemed satisfactory by the Government of Austria, also, I think there can be no doubt; because, immediately after its receipt—that is to say, on the 4th of February—a formal invitation was received by Her Majesty's Government from the Government of Austria to a Conference to be held at Vienna. That communication was made with the knowledge of Russia—or, to use the language of a despatch of the Austrian Ambassador, Russia "fully appreciated it"—and the object of the Conference was stated to be the establishment of "the agreement of Europe on the modifications which it might become necessary to introduce into the above-mentioned Treaties," in order to make them harmonize with the present situation. Your Lordships will observe that the character in which this Government—the Government of Austria—addressed our Government and the other Governments that were to take part in the Conference was a character which did not exist, except by the Treaties of 1856 and 1871. Avowedly, it was in her character as a signatory of the Treaties of 1856, that Austria addressed the invitation to the other Powers, and it was in their character as signatories of those Treaties that the other Powers received that invitation. That carried us to the commencement of February, and the month which follows is not rich in diplomatic documents. But, my Lords, it was not an uneventful month. During the whole of that period, Austria was busy in conferring with the different Courts of Europe, and in making arrangements for the meeting of the Conference. There were many suggestions made—there was the scheme of its meeting at Vienna; there was the objection of some of the Powers to the meeting being held in a capital city; there were discussions as to the presidency, as to the locality, and as to the name of the Assembly—whether it should be called a Congress or a Conference; as to whether it should be held in a capital city or in a place of more obscure character; and as to whether it should be presided over by a Secretary of State or by some other Minister. All those questions occupied the minds of Governments; but they did not occupy the mind of Her Majesty's Government. Her Majesty's Government never made the slightest difficulty on these heads. There were persons proposed whom we might not have approved as the best President of the Congress; there were localities proposed which, perhaps, we did not approve as the best; but we never made any objection of any kind. We thought too much of the interests of peace and of the magnitude of the considerations involved in a meeting of a Conference or a Congress; so that whether it was to be a Conference or a Congress—which, I believe, are exactly the same—or whether it was to be held at Vienna, as originally proposed, or at Baden, or at Berlin, or who was to preside over it, were matters which Her Majesty's Government put on one side—because we were anxious that there should be such a meeting, believing that its meeting was the only means then apparent by which the peace of Europe might be maintained. Well, my Lords, early in March, an invitation arrived to meet in Congress at Berlin—the objection which had been made to Vienna, as the capital of one of the signatory Powers, seems to have been waived in the case of Berlin, and a Congress at the latter city was invited. Without a moment's delay we stated that we would accept it, and we did not for a moment ask why Berlin should be preferred to Vienna — all we wanted was that there should be such a meeting. But, in order that there should be no delay—mindful as we were of the events which had been occurring during the month of February—and I ought to have reminded your Lordships of them before—when Austria was carrying on those negotiations—remembering that during the whole of that time secret negotiations were being carried on between Russia and the Porte—remembering the fact that, during the whole time while those secret negotiations were proceeding, the Russian Army was advancing, and, if not occupying, encircling the capital of the Sultan; and, remembering that we had felt it our duty to advise Her Majesty to send a portion of the Fleet to the Dardanelles and into the Sea of Marmora—we considered it was of importance that, when we assented to attending a Congress at Berlin, the policy of Her Majesty's Government should be stated in an unmistakable form. Accordingly, the Secretary of State, on the 9th of March, while signifying his agreement to the proposition for a meeting at Berlin, expressed to Count Beust the views of Her Majesty's Government in these terms—

> "Her Majesty's Government, however, consider that it would be desirable to have it understood in the first place that all questions dealt with in the Treaty of Peace between Russia and Turkey should be considered as subject to be discussed in the Congress, and that no alteration in the condition of things previously established by Treaty should be acknowledged as valid until it has received the assent of the Powers."—[*Turkey, No.* 24, 1878, p. 4.]

Therefore, my Lords, I think I have shown, that during the eventful month that elapsed from the time to which I before alluded, Her Majesty's Government were consistently maintaining that great principle which they had vindicated before the war commenced, which they had repeated on other occasions, and which, on this occasion, when the meeting of the Congress appeared to be settled upon generally, they felt it their duty to again affirm in the terms I have just read to the House. A day or two afterwards—on the 13th March—in consequence, probably, of some rumours which may have reached us, or of some slight indications of feeling which it was impossible to record, but which the observant critic would not fail to remark—the Secretary of State wrote in this language to Her Majesty's Ambassador at Vienna—

> "I have to request your Excellency to inform Count Andrassy that, in order to avoid any misapprehension as to the meaning of their recent declaration contained in my note to Count Beust of the 9th inst., Her Majesty's Government desire to state that they must distinctly understand before they enter into Congress that every Article in the Treaty between Russia and Turkey will be placed before the Congress, not necessarily for acceptance, but in order that it may be considered what Articles require acceptance or concurrence by the several Powers and what do not."—[*Ibid.*]

Now, my Lords, after some slight delay, we received a Memorandum from Prince Gortchakoff, which was communicated by Lord Augustus Loftus on the 17th of March—

> "In answer to the communication by Lord Augustus Loftus of the despatch in which Lord Derby has answered the proposal of Count Beust respecting the meeting of a Congress at Berlin, I have the honour to repeat the assurance which Count Schouvaloff has already been instructed to give to the Government of Her Britannic Majesty—namely, that the Preliminary Treaty of Peace concluded between Russia and Turkey will be textually communicated to the Great Powers before the meeting of the Congress, and that in the Congress itself each Power will have the full liberty of its appreciations and of its action ('*la pleine liberté de ses appréciations et de son action.*')"—[*Ibid.* p. 9.]

Now, my Lords, I am not a diplomatist, and may not, perhaps, be an impartial judge; but I must say that the phrase, "*la pleine liberté de ses appréciations et de son action*" was one of which I was not able to form that clear conception which in matters of such importance is necessary. As to what "appreciation" and "action" may be, no doubt, different interpretations may be furnished. It is a phrase involved in some degree of classical ambiguity. Delphi itself could hardly have been more perplexing and more august. This did not satisfy Her Majesty's Government, and, therefore, the Secretary of State addressed to Count Schouvaloff on the 21st, the following Note:—

> "Her Majesty's Government have considered the communication which you were authorized by Prince Gortchakoff to make on the 19th inst. Her Majesty's Government cannot recede from the position, already clearly defined by them, that they must distinctly understand before they enter into the Congress that every Article in the Treaty between Russia and Turkey will be placed before the Congress, not necessarily for acceptance, but in order that it may be considered what Articles require the acceptance or concurrence of the other Powers, and what do not. Her Majesty's Government are unable to accept the view now put forward by Prince Gortchakoff, that the freedom of opinion and action in Congress of Russia, more than of any other Power, would be restricted by this preliminary understanding."

To this we received a conclusive answer. Count Schouvaloff says—

> "I lost no time in communicating to Prince Gortchakoff the tenour of the letter which you did me the honour to address to me on the 21st. As different interpretations had been given to the interpretation of 'liberty of appreciation and action,' which Russia thought it right to reserve to itself at the Congress, the Imperial Cabinet defines the meaning of the terms in the following manner:—'It leaves to the other Powers the liberty of raising such questions at the Congress as they might think it fit to discuss, and reserves to itself the liberty of accepting, or not accepting, the discussion of these questions.'"

Well, my Lords, Her Majesty's Government could place only one interpretation on that communication. However ambiguous he language of previous despatches—however various the expressions that had been used—there was nothing in the previous Correspondence between the two Courts to induce us to assume that there would be a refusal on the part of Russia to that which England believed to be a natural, just, and indispensable condition of her entering into the Congress.

My Lords, let me make now one or two remarks on the character of this Treaty of San Stefano, which Her Majesty's Government felt so necessary to be submitted to the Congress, and which we believed—and I think we believed so in common with the other Powers—Russia was bound by her previous engagements as one of the signatories of the Treaties of 1856 and 1871 to submit for discussion to the Congress. The Treaty is in your Lordships' hands, and therefore I will not enter into a minute criticism of its every Article; but it is necessary that I should put before your Lordships some of its principal provisions, because, unless they be clear in your Lordships' minds, you would hardly be in a position to impartially decide as to the consequences to which the Treaty would lead, and as to the course which in respect of it Her Majesty's Government have thought it their duty to pursue. The Treaty is one of 27 or 29 Articles, and, with the exception of a merely technical one, every one of them is a deviation from the Articles of the Treaties of 1856 and 1871. I do not say that every Article of the Treaty of San Stefano would be a violation of the Treaties of 1856 and 1871, because that would be a harsh phrase. If the Government of Russia had been prepared—as we believed they were prepared—to place the Treaty of San Stefano before the projected Congress, I should look at the deviations between the Treaty of San Stefano and the Treaties of 1856 and 1871, not as violations, but rather as suggestions on the part of the Russian Government to be laid before the Congress, in order that they might be considered in a spirit of conciliation, and, if just, be adopted by the other Powers of Europe. But let us look at what this Treaty of San Stefano does—this Treaty, which was negotiated in such secrecy and encircled in mystery from the beginning to such a degree, that the Porte was commanded by Russia not to let a single Article of it be known to the neutral Powers—the neutral Powers who were the Allies of Russia—without whose neutrality she could not have gained the advantages she enjoyed, and which would not have been shown unless it had been believed that, as regarded the other Powers, Russia would feel bound by the Treaties of 1856 and 1871. Well, my Lords, in the first place, the Treaty of San Stefano completely abrogates what is known as Turkey in Europe; it abolishes the dominion of the Ottoman Empire in Europe; it creates a large State which, under the name of Bulgaria, is inhabited by many races who are not Bulgarians. This Bulgaria reaches the shores of the Black Sea and seizes the ports of that sea; it extends to the coast of the Ægean and appropriates the ports of that coast. The Treaty provides for the government of this New Bulgaria under a Prince who virtually is to be selected by Russia; its administration is to be organized and supervised by a commissary of Russia; and this new State is to be garrisoned—I say for an indefinite period—but, at all events, for two years certain, by Russia. My Lords, it is not merely this vast district, this vast space of country, which is taken from the Porte—and in which the power and the government of Russia are substituted for that of Turkey by the stipulations in this Treaty; but the distant Provinces of Epirus and Thessaly and Bosnia, now almost entirely cut off from Turkey, are invested with privileges—that is to say, new laws which are to be devised by Russia, and afterwards supervised by Russia; so that we may fairly say that all the European dominions of the Ottoman Porte are taken from the Porte, and for that Power is substituted the administration of Russia herself. My Lords, it is no different in Asia. It is not difficult to see that the effect of all the stipulations combined will be to make the Black Sea as much a Russian Lake as the Caspian. The harbour of Batoum, which has not been acquired by conquest, but is still in possession of the Porte, is to become Russian; all the strongholds of Armenia are seized by Russia; and the same process which is to be applied to European Turkey is to be applied to that portion of that great Province nominally left to Turkey—is to be subjected to laws devised and supervised by Russia. My Lords, the next point which I would bring under the consideration of your Lordships is that of the claim of Russia to that district of Bessarabia of which she was deprived after the Crimean War. My Lords, I need not recall to your recollection the distressing circumstances which are now occurring with reference to that portion of the Treaty of San Stefano; but I want to point out to your Lordships that here it is not a matter of trifling or local interest which is at stake. The Clause in the Treaty of Paris with regard to the cession of Bessarabia was one on which Lord Palmerston placed the utmost stress, and to which he attached the greatest gravity. It involved, he said, the freedom of the Danube, and, accordingly, Lord Palmerston treated it as an Article, not of local, but of European interest. It was inserted in the original Preliminaries of the Treaty, and an attempt was made subsequently by Russia to evade it; but Lord Palmerston attached such importance to it that, at one time, the Congress of Paris was near breaking up because of the efforts made by Russia to escape from that Article. The great interest felt at the Congress of Paris in taking security against the closing of the seas, and the great rivers, and especially of the Danube, the freedom of which was the great boast of the Congress of Vienna, and is almost the only remaining achievement of that Congress, is a matter which your Lordships will bear in mind when examining the Treaty of San Stefano. It concerns the whole navigation of the Black Sea, it concerns our commerce in those waters; for, should the Treaty of San Stefano take effect, the large European commerce which is now carried on from Trebizond to Persia and Central Asia may be stopped at the pleasure of Russia in consequence of cessions in Kurdistan. But what would be the consequence of the Treaty as regards the navigation of the Straits? By that Treaty, the Sultan of Turkey is reduced to a state of absolute subjection to Russia. I cannot reconcile such a condition either with the freedom of the Straits, or the free navigation of the Black Sea, or with those rights and privileges which Europe has hitherto enjoyed with regard to those waters, while the Sultan has been an independent Sovereign bound to Europe by European Treaties. It is to the subjugation of Turkey, it is against an arrangement which practically would place at the command of Russia, and Russia alone, that unrivalled situation and its resources which the European Powers placed under the government of the Porte, that we protest.

Now, my Lords, this Treaty was signed on the 3rd of March—but it was not delivered to Her Majesty's Government till the 23rd of March. I do not say that during the interval we had not by extraordinary means obtained some knowledge of its provisions, but that was knowledge on which we could not absolutely rely; it was knowledge which, like all knowledge acquired in an indirect way, was likely to be in some degree erroneous; but, at all events, it allowed us to avail ourselves of the earliest opportunity of conferring as to the means by which such mischievous results might be averted — results equally disadvantageous to Europe as to England. My Lords, we still hoped and still believed that a Congress might be obtained, and we looked to it as the best and only means by which the unsatisfactory state of public affairs might be remedied. We were prepared, if all the Powers entered into the Congress, and if it were a *bonâ fide* Congress, and in accordance with the positive engagements, as we held, of Russia —we were prepared, I say, to see the Treaty of San Stefano submitted to the discussion of that Congress in order that, to use the words of the Austrian Government, a *règlement définitif* of the conditions of future peace might be arrived at. My Lords, it appeared to us that the circumstances of the world at that time were not unfavourable to such a course. All the Great Powers of Europe during the last 10 years, except England, unfortunately for them, had been involved in fearful wars, and were suffering from the exhaustion attendant on such wars; and we believed that, with the general and natural inclination for peace arising from such circumstances, the discussions of a Congress—the unimpassioned discussions and the adroit experience of a Congress—were favourable — considering that it was the natural inclination and the actual interests of the Powers— to bringing about a settlement. And, my Lords, we, as far as we were concerned, had a due consideration for the circumstances in which Russia was placed, in consequence of the war between her and Turkey—because we could not expect that Russia would appear at the Congress merely in the same character as she assumed when she became a signatory to the Treaties of 1856 and 1871. We were prepared to consider the events that had occurred and their legitimate consequences; and having regard to the temper with which we expected that the proposals of Russia would be considered, having regard to the desires and interests of all concerned, and the abilities engaged in devising bases of reconciliation—we believed that Russia would not disappoint the other Powers. We regarded it as being for her own advantage to comply with the engagements into which she had entered, and that, acting as she had agreed to act by the Treaties of 1856 and 1871, she would have placed before the Congress the stipulations of all the Articles of the Treaty. My Lords, you have heard from me, in my previous narrative, how these hopes were disappointed. My Lords, it was when these hopes were disappointed, and when we found there was no chance by the aid of Treaties, or by the public law of Europe, to bring about a settlement of these great affairs—it was then that we had to consider what was our duty. My Lords, the Congress could not meet after that refusal on the part of Russia to conform to her engagements under previous Treaties, and the conditions which England put forward as the terms of her joining in the Congress—that the Treaty of San Stefano should be placed before the European Powers—were conditions which she could never relinquish. The justice of them has been universally acknowledged. It is not denied even by Russia. What, then, was the state of affairs? No Congress was to meet, and a most important portion of Eastern Europe, and a considerable portion of Western Asia, were in a state of anarchy, either occupied by an invading army, or in a state of rebellion. It was wholly impossible to foresee what might not occur in circumstances of such difficulty and distress. My Lords, the country in which these events were occurring is a country which has always been subject to strange and startling vicissitudes. In the East there is only one step between collapse and convulsion. It was impossible not to foresee what might occur. Had not the English Fleet been ordered into those waters, the chief highway between Europe and Asia might have been seized, and the commercial road from Trebizond to Persia might have been stopped. We know that—if not in the memory of the present generation, certainly in the memory of Members now sitting in your Lordships' House — armies marched through Syria and through Asia without firing a shot, and held Constantinople in a state of trepidation. Why not march armies in the same way, and hold Egypt and the Suez Canal in the same state of trepidation as Constantinople and the Bosphorus were held at that time? In those circumstances, there was, in our opinion, only one course to take. When everything was unsettled, when there was no prospect of a settlement—for there can be no prospect of settlement where Treaties are violated, and public law is set aside—when there seemed no probability of the Treaty of San Stefano being submitted for discussion to the European Powers, and of the public law being vindicated; when all Europe was arming—or, rather, when all Europe was armed—was England alone to be unarmed? Was England to be deterred from doing her duty to herself and to Europe by taunts and threats—because we were told that we were menacing when we thought to conciliate? My Lords, our Fleet, which has reached the waters of the Dardanelles, has acted in a manner worthy of it, and in the manner it might have been expected to act; but I have always thought that when it is found necessary to show our strength, certainly England should not be limited to one of her Services—that she should appeal to her Army to maintain her honour and her interests as well as to her Marine. Well, my Lords, in those circumstances, we felt it our duty to advise Her Majesty to send that Message to your Lordships' House the Answer to which I am about to propose.

And here let me make one remark upon the act of the Sovereign in that particular. It is the first time the Sovereign of this country has sent down such a Message to Parliament, because this message is in virtue of an Act of Parliament which was passed only a very few years ago. That Act was in consequence of the great military reform which was inaugurated by the last Government, and particularly by the noble Viscount opposite (Viscount Cardwell). My Lords, that great military reform gave rise to much controversy and opposition in the country; but, as has been the case in respect of all great Acts of our Legislature, when it had been passed by the Parliament and the Sovereign, and became law, every man on both sides, without reference to his opinions, exerted himself to carry into effect—and into vigorous effect—its provisions. I am sure that during the duration of the present Government—and that has now scarcely been a short one—there has been an unceasing effort to carry into effect the measures and policy of the noble Viscount opposite. As for myself, I can speak without prejudice on this point, because it was my lot to differ from many of my Friends in this matter. The great principle which is the foundation of the Reserve system—the principle of short service—is one which I have had the honour to support. Well, my Lords, it is in consequence of that reform in our military system, and the institution of short service, that we were obliged to recommend Her Majesty to call out our Reserves. Under the new military system, it was laid down that a battalion in time of war or on active service should consist of not less than 1,000 men. A battalion in time of peace consists of only 500 men; and, therefore, the machinery of Reserves—the arrangement introduced by the noble Viscount opposite—that there should be with this short service a means by which, when men passed through their short service and left their colours, they might become, under another title, the soldiers of Her Majesty, was the only means by which you could convert our battalions of 500 men, in case of emergency, into battalions of 1,000 men, who should not be mere raw recruits. Unfortunately, the name for this Force is not a very felicitous one; it is called the Reserve Force, and it is called the Militia Reserve Force. But the world associates with the word Reserves some resource that is left to the last, that is only to be appealed to in great emergency, and is to be the ultimate means by which you can effect your purpose. But this is exactly the reverse of what the Reserve Force instituted by the noble Lord opposite is. It is not the last resource, but it is the first resource under our system. At this moment you really cannot put a *corps d'armée* into the field in a manner which would satisfy the country, unless Her Majesty was advised that the circumstances justified such a Message to the House from the Crown as I brought up the other day. Well, my Lords, if it was necessary in this state of Europe that Her Majesty should have a sufficient Naval and Military Force, we could take no step but that which we advised the Crown to adopt. And what are the consequences of this step? Her Majesty will be able in a very brief space of time to possess an Army of 70,000 men, fairly and even completely disciplined. It is double the force of Englishmen that Marlborough or Wellington ever commanded; but it is not a force sufficient to carry on a great war. If England is involved in a great war, our military resources are much more considerable than those you may put in motion by this Statute; but this is the only way in which you can place at the disposal of the Crown a considerable and adequate force when the circumstances of the country indicate an emergency. The noble Earl the Leader of the Opposition (Earl Granville), the other night, in his lively and satisfactory answer to one of his own supporters, defended the Government, and admitted and approved the satisfactory state in which the country was with regard to defence. He said—

> "We happen to know from the Secretary of State that he has a *corps d'armée* ready, and that in a short time he can have another."

These make up the 70,000 men of whom I speak; and, therefore, the noble Earl admitted it was not an unreasonable amount of force we were calling upon Parliament to grant. The question, therefore, between us and the noble Earl is this—I should not say between the noble Earl and us, but between us and any who differ from the policy of the Government in this respect—the question is, are the circumstances which exist in the East of Europe at this moment—do the circumstances that prevail in the Mediterranean—constitute an emergency which justifies and demands that Her Majesty shall not only have a powerful Navy in these waters, but shall command, if necessary, not a very considerable, but an adequate and an efficient Army? Now, my Lords, I would say that this is a question which comes home to every man's bosom. I cannot understand—I cannot conceive myself—that in the position in which this country now finds itself, when an immense revolution has occurred in the Mediterranean Region—a revolution which involves some of the most important interests of this country; I may say, even the freedom of Europe;—I say, I cannot conceive that any person with a sense of responsibility in the conduct of affairs could for a moment pretend that, when all are armed, England alone should be unarmed. I am sure my noble Friend, whose loss I so much deplore (the Earl of Derby), would never uphold that doctrine, or he would not have added the sanction of his authority to the meeting of Parliament, and the appeal we made to Parliament immediately for funds adequate to the occasion of peril which we believed to exist. No, I cannot think such things of him; for to the individual of whom I did, I should say, *Naviget Anticyram;* only I trust, for Heaven's sake, that his lunacy might not imperil the British Empire! I have ever considered that Her Majesty's Government, of whatever Party formed, are the trustees of that Empire! That Empire was formed by the enterprize and energy of your ancestors, my Lords; and it is one of a very remarkable character. I know no example of it, either in ancient or modern history. No Cæsar or Charlemagne ever presided over a Dominion so peculiar. Its flag floats on many waters; it has Provinces in every zone; they are inhabited by persons of different races, with different religions, different laws, manners, customs. Some of these are bound to us by the tie of liberty, fully conscious that without their connection with the Metropolis they would have no security for public freedom and self-government. Others united to us by faith and blood are influenced by material as well as moral considerations. There are millions who are bound to us by military sway, and they bow to that sway because they know that they are indebted to it for order and justice. But, my Lords, all these communities agree in recognizing the commanding spirit of these Islands that has formed and fashioned in such a manner so great a portion of the globe. My Lords, that Empire is no mean heritage; but it is not a heritage that can only be enjoyed—it must be maintained—and it can only be maintained by the same qualities that created it—by courage, by discipline, by patience, by determination, and by a reverence for public law and respect for national rights. My Lords, in the East of Europe at this moment some securities of that Empire are perilled. I never can believe that at such a moment it is the Peers of Engand who will be wanting to uphold the cause of their country. I will not believe for a moment but that your Lordships will unanimously vote the Address in Answer to the Message which I now move.

Moved that an humble Address be presented to Her Majesty thanking Her Majesty for Her most gracious message communicating to this House Her Majesty's intention to cause the Reserve Force and the Militia Reserve Force, or such part thereof as Her Majesty should think necessary, to be forthwith called out for permanent service.

Earl GRANVILLE: My Lords, I will preface the few observations I propose to make on the present occasion by stating that it is not my intention—and I am not aware that it is the intention of any noble Lord occupying the benches by my side—to offer any opposition to the Motion. My Lords, the noble Earl (the Earl of Beaconsfield) commenced his speech by assuming that the Opposition, by not challenging the conduct of the Government, entirely approved their policy during the last two years. I deny the soundness of that proposition. I deny the fact; I deny the inference as to the past, the present, and the future. If we abstained in times of difficulty from bringing forward Votes of Censure against a Government whom we could not hope and have no wish to displace, it does not in the slightest degree follow that we approved of their policy. I think I can adduce a better authority than my own on that point. In 1854 a memorable Message came down to both Houses of Parliament—it was, indeed, at the commencement of the Crimean War. The noble Earl (the Earl of Beaconsfield), the then Leader of the Opposition in the other House of Parliament, then made a very powerful speech, and he began that speech by giving his own reasons and by quoting Canning to show that it was perfectly consistent for him to concur in the Motion and at the same time condemn the policy of the Government that proposed it. I trust, therefore, it will be seen that I am perfectly justified in the course I am now about to take—the more especially as there is a difference between the Answers to the two Addresses, inasmuch as that of 1854 embodied and adopted all the considerations and reasons which that Message embraced; whereas, in the present case, Her Majesty's Government have—I think, most judiciously—confined the proposal which they make to us to language similar to that of the Address at the opening of Parliament—merely thanking Her Majesty for the Message. I trust the precedent I have related will not be repeated, and that it will not lead to another Crimean War; and I will shortly give some of the reasons on which I base that, perhaps, too confident hope. Another sense in which I hope it will not be a precedent, is that certainly I have no intention of making any personal or political attack on the Government, as the noble Earl did at that time—I merely desire to state the reasons why I do not wish to commit myself and those who act with me to anything, but to leave on Her Majesty's Government the responsibility of the course which they have taken. Her Majesty's Government, it has been stated by the noble Earl, has decided, and has acted on the decision, to advise Her Majesty to call out the Reserve Forces, under the belief that there is a great emergency, and that anyone must be a lunatic if he did not see that there is such an emergency. Well, my Lords, I heard it last week pertinently stated that we had in the Cabinet the 12 picked Members of the great Conservative Party of Great Britain, and that one-sixth of that number had given the most signal proof of their condemnation of the measures which Her Majesty's Government then proposed should be adopted. Now, it appears that one of those is the noble Earl (the Earl of Derby), who was cognizant up to the last moment of the policy and intentions of the Government. Your Lordships will agree with me that, as a political opponent of the present Government, it would be very bad taste in me to pay any personal compliment to the noble Earl at the moment of his, no doubt, painful secession from the Colleagues with whom he has been so long associated; but I may, perhaps, be allowed to say that it was not a hasty, but a well-considered, description of the noble Earl, when the Prime Minister expressed to this House his admiration of the penetration of his intellect, his capacity for business, and, above all, the judicial impartiality of his mind. Now, I do not think that the noble Earl can be considered a lunatic, and yet he certainly does not agree with the measures Her Majesty's Government propose. The noble Earl stated—I was unfortunately absent, but he is reported to have stated—that the measures upon which they had decided were not, in his opinion, prudent in the interests of European peace, or necessary to the safety of this country, or warranted by the then existing state of affairs. Now, it may be permitted to me, under such an authority as that, and with such imperfect information as I possess as to the real policy of Her Majesty's Government, to express a doubt—which doubt has not been removed by the speech which, although it ended by such an eloquent and magnificent piece of declamation, consisted, as to the first half, mainly of extracts and summaries of the Papers laid before us, and which we have had the advantage of going through, as the noble Earl said, the ceremony of reading. The noble Earl dwelt in some detail on the character of the Act of Parliament—with regard to which he so justly complimented the noble Viscount behind me—under which the Reserve Force is formed; but I must say, if there is any truth in the opinion of the noble Earl the late Secretary of State for Foreign Affairs, that there is no "emergency" at present, I think that my noble Friend on the cross-benches (Earl Grey) was justified in pointing out the hardships on the men called out—always supposing there is no absolute necessity for doing so, of abandoning temporarily, and more often permanently, the situations by which they maintain not only themselves, but their families. I wish to point out that when there was no Reserve it was intended to create a Force of from 60,000 to 80,000 men; and when that body is formed, it will be much easier for the whole body of the Force if, when say 10,000 men are required, one-sixth are called out instead of every man of the Force. I am afraid that if the necessity is not such as has been stated, it will have a very bad effect in discouraging intelligent men from putting themselves under the obligation to enter the Reserve. My Lords, I now proceed to a much graver and more important question. I will call attention to some of the Papers which have been laid before us. And, first of all, to those Papers which have reference to the great diplomatic failure which has taken place in regard to the Congress, which it was hoped would settle the Eastern Question. No doubt there has been a diplomatic failure as regards Austria. She proposed the Congress, and certainly desired it to be entered into. With regard to ourselves, there is some doubt as to what our wishes were. With regard to Russia, it has been really somewhat of a diplomatic triumph. It was stated, when this Congress was proposed —and it has never been contradicted— that Russia was never much inclined to enter it. She thought—indeed it is rather confirmed by what has fallen from the noble Earl—that her interests would be better answered by entering into negotiations with the different Powers separately, instead of meeting them collectively in a Congress; and certainly the noble Earl has mentioned some great difficulties that she would have to encounter in entering into the Conference. With regard to ourselves, I had some doubts whether we were sincerely anxious to enter into it, and the suspicion I entertain has been rather confirmed by the dissensions which we now know existed in the Cabinet. It appeared to me that Her Majesty's Government were not very clear themselves as to what proposal they would make in the Congress. That notion is entirely dispelled by what has fallen from the noble Earl, and he has shown what importance he attached to the meeting, and what confident hopes he entertained that it would lead to a satisfactory settlement. This being the case, I own I do not think Her Majesty's Government have been quite fortunate in the way they have dealt with this question of the Conference. The state of the case is this—a Treaty has been concluded between Russia — omnipotent as far as Turkey is concerned — and the Porte. That Treaty is one which I believe everyone present would wish to see modified in several important points. It is one that Russia herself has announced she is ready to modify—that she expects to make modifications. The question is—Is it to be modified by going to war, or by the united action of Europe, and by those rules which regulate the diplomatic relations of nations, and which would comprehend, among others, all English interests? Now, I confess I think it more desirable to resort to the latter than to the former mode of modifying the Treaty. We asked the other day for Papers which might give us some information of the views taken by the European Powers as to the course best to be adopted. The only Paper which appears to me to be an answer to the question is of the most inapplicable character that can be imagined. It is a small extract from a despatch, quoting Prince Bismark's very important, very satisfactory, and sensible remark, that the Conference could not be satisfactory unless this country took part in it. The inference I draw from this mass of Papers is, that there is not one Power of Europe which expresses an exact agreement with the course which Her Majesty's Government have pursued in this matter. The noble Earl bases his principle on a particular Declaration of great importance—namely, the Declaration preliminary to the revision of the Treaty of 1856, which was made in 1871. Now, I attach considerable importance to matters of form, and I am glad of the immense importance that is now attached by the noble Earl to that Declaration; but I do not remember that any such enthusiasm was manifested by him at the time. If my memory does not deceive me, even the noble and learned Lord on the Woolsack, with as much of a sneer as was compatible with the courtesy with which he treats every Member of the House, rather ridiculed us for attaching so much importance to a mere matter of form. But it appears that there is somewhat of a change in the opinion of the Government in that respect. To-night they base their policy on the principle of that Declaration; whereas last year it was grounded entirely on a certain despatch written in May, specifying and defining certain British interests with which alone we were to be exclusively concerned. Now, with regard to the Declaration of Paris, had we tried to thrust it single-handed down the throat of Russia, we should have entirely failed; and we must take some credit to ourselves for the patience and perseverance with which we induced all the other Powers to concert and combine; and it was that concert and combination which induced the Emperor of Russia to accept the Declaration, and make a retractation which would have been of a most humiliating character—if it were possible to say that that was humiliating which was merely the acknowledgment of flagrant error. I confess I do not see why we have not been more active in the present case in entering into concert with the other Powers. I now come to another point—why did we get into direct communication with Russia? Austria proposed the Conference and undertook the preliminary arrangements. It was hers to learn the views of the other Powers, and every country of Europe was bound to let her know the *sine quâ non* conditions on which they would enter the Conference. If they had done that, I believe that Russia would have been more ready to agree to the proposal coming from Austria in the name of all the other Powers than when it was proposed by a direct communication, and almost a threat, from one nation which she pretended to believe was bent on humiliating her. In saying this, I cannot help thinking—knowing now the divisions that have existed in the Cabinet—it is not impossible, that if the noble Earl who has left the Government had been unhampered by his Colleagues, he would have been able to bring about a satisfactory arrangement of this question of the Congress.

My Lords, I shall now refer to that remarkable Circular which has produced so great a sensation both in this country and in Europe, and the ability of which I fully allow. There seems to be an impression abroad, and I have heard from individuals, and it has been stated in the Press, that this Circular was written by the noble Marquess *proprio motee,* and on the spur of the moment—that immediately after he took Office as Secretary of State for Foreign Affairs he examined this Treaty, analyzed it, and wrote an admirable Paper upon it, which obtained the sanction of the Cabinet and the appoval of the Sovereign. My experience of Cabinets and of the Foreign Office does not lead me to believe that this view is correct. Her Majesty's Government, more than nine months ago, were informed by the Russian Government of the terms which they were ready to make with Turkey; and it is rather remarkable that, in the indictment against Russia brought forward by the noble Earl, he entirely omitted any reference whatever to this important communication. I may mention, also, that those terms indicated, though in a general character, the terms it was intended afterwards to impose and which were afterwards contained in the Treaty of San Stefano. They were, no doubt, largely extended after their great successes, but in their general character there was a great similarity; and there was one very remarkable similarity—namely, that the cession of the port of Batoum is expressly mentioned as a point on which Russia would insist. Strong attacks were made on Her Majesty's Government for not making public at the time the communication which had been made to them by Russia. Those attacks were made chiefly by the supporters of the Government, not by their opponents. I disagreed with those attacks. It was a confidential communication, which I do not think the Government were bound, or which it was even allowable for them, to present to the country at that particular time. But I must own that I am extremely surprised at the silent acquiescence with which Her Majesty's Government received so important a communication. There was one or two courses which they could have pursued. They might have said that the terms were fair and reasonable, and in that case Her Majesty's Government ought to have diplomatically pressed them upon the acceptance of the Turks; and if the Turks had persisted in resisting them I think Her Majesty's Government would have been justified in saying—"We cannot force the Turks to accept these terms, and as we think them fair and reasonable we will not object—but let us clearly understand—if, in consequence of successes, you increase your demands on a subsequent occasion, let it be clearly known that these are the terms of which we approve, and that if you go further you will entirely lose our support." Or, on the other hand, if the terms against which so formidable an indictment has been made were such as you could not possibly assent to, you were bound, and could have done it with immense effect at the time, to have communicated to Russia your insuperable objection to those terms, and your intention to oppose them. My Lords, I have never admitted that in wisdom Russian diplomacy is so greatly superior to the diplomacy of the other great countries of Europe; but what I do lay great stress upon is, that our English diplomacy, which stands so high for straightforwardness and justice, should be so scrupulously conducted that it would be impossible for any Power to have the right to make objection to it. Now, nine months ago you were in possession of those terms, and some weeks ago you had a real though not an official knowledge of the terms of the Treaty, and a little later the authentic terms of the Treaty were before you. I cannot positively believe that such was the indifference of the Cabinet on the subject that they had never asked the Foreign Office to examine the terms of that Treaty and place some analysis of it before them—it would be a matter of great curiosity if the noble Earl (the

Earl of Derby) should find himself able to inform your Lordships of the course he was inclined to pursue, and whether he concurred entirely with his Colleagues in their objections to the most important portions of this Treaty. With regard to the Circular of the noble Marquess, I concur in a great many of his criticisms on the Treaty, and these induce me sincerely to hope that the Treaty will be modified. The noble Earl (the Earl of Beaconsfield), in his statement this evening, would lead us to think that the opposition of Her Majesty's Government is to be of such an uncompromising nature as to be absolutely destructive of the Treaty of San Stefano. But I cannot for the life of me believe that that is the opinion of the noble Marquess who now holds the Office of Foreign Secretary. I read with great interest a speech he made in Bradford about two months after I was there, in which, with great good humour, he turned some remarks of mine into ridicule. He said—

> "You must always remember that this is a war not of Sovereigns but of peoples. There is an intense feeling on both sides—it may be fanatical, it may be of national hostility—but it is not one of those wars that Sovereigns can begin, continue, and end, according to the views of policy which in the Cabinet they may form. The war began on certain principles and with a certain aim, and before it is finished, if it be finished while military strength is still unexhausted, the Sovereigns must carry back to their people something with which they will be able to convince them that the object with which the war was fought and the passions on which it reposes, has been in some degree carried out."

These are sentiments in which I agree, but which are absolutely incompatible with the position that a Treaty accomplished after great efforts by Russia should be swept away and the whole matter become a mere *tabula rasa.* There is no one who knows better than I do that silence is desirable in regard to diplomatic negotiations, and I think the noble Earl the late Foreign Secretary will confirm me when I say that, although I have been a somewhat pertinacious Questioner, I have never insisted on putting Questions which I had the slightest reason to believe he might think disadvantageous to the public service to answer. I sincerely hope that I may be able to make a similar appeal, with the same confidence, at the end of the Session, to the noble Marquess who now occupies that post—but there is one instance in which I think silence has been most unfortunate. I think it most unfortunate that when the Berlin Memorandum was rejected by us, the Government remained absolutely silent on that matter; that we refused to announce any policy of our own. We thus broke up the concert that up to that time had existed in Europe. On the other hand, to have remained silent, instead of assuring the Turkish Government at the time of the Conference, that Lord Salisbury's remonstrances would certainly not be backed up by coercion; and it certainly would have been wise before the war began to maintain silence, instead of boasting, as the late Secretary of State for War actually did, that Her Majesty's Government had announced to all Europe, and therefore to Russia, that if war did begin we should give no assistance whatever to the Turks. Nothing would tempt me to press the noble Marquess opposite to give, at this moment, any details as to his views respecting particular Articles of the Treaty; but, at the same time, I think we are entitled to have some general information as to the great principles on which the Government intend to act in this matter. In the year 1854—in the very same speech to which I have already referred—the noble Earl, now Prime Minister, described, with great truth and accuracy, two different Parties with regard to the Eastern Question, and the remarks are so important that perhaps your Lordships will allow me to read them. The noble Earl said—

> "Two theories have always existed, and each has been maintained by statesmen of eminence. There are statesmen who are of opinion that there is vitality in Turkey—that, far from being exhausted, it is a country full of resources, and of resources hitherto only imperfectly developed. There are statesmen, and the noble Lord opposite (Viscount Palmerston) is one of them, who believe that Turkey is a country not only qualified for independence, but absolutely capable of progress. Statesmen of this school, upholding these opinions, have been of opinion that, with wisdom and with firmness, Turkey might form a substantial and a real barrier against Russia."—[3 *Hansard*, cxxxii. 285.]

Nothing could be fairer than that description. He went on to say—

> "Then there is the other school which believes that there is no vitality in Turkey—that it is decaying and decrepit—that its resources, always imperfectly developed, perhaps, are now virtually exhausted, and that it is totally impossible that it can long exist as an independent or

> *quasi*-independent community; and these statesmen, not wishing to hand over this rich prey to its powerful neighbour, have been of opinion that, by encouraging the Christian subjects of the Sultan, and by advancing the civilization and increasing the right of these classes, you might in time prepare a population for Turkey which would prevent that intermediate state of anarchy which otherwise would happen between the fall of a great Empire and the rise of a new Power."—[*Ibid.*]

So impressed was the noble Earl with this contrast that he repeated it in stronger terms in a subsequent part of his speech, with which I will not trouble your Lordships. Although the noble Earl did not expressly say so, the whole tenour of his speech was entirely in favour of the first theory. About four years later, a young Member of Parliament, of great ability and promise, made a speech, in which he advocated the second theory, and he was answered by his Leader, who described that theory, not as one held by eminent statesmen, but as a crude theory which could only be uttered by a person who had absolutely not given any thought to the subject. The promising young Member has entirely fulfilled the promise then entertained of him, and he is now Secretary of State for Foreign Affairs. Many things have happened and many persons have changed their opinions since then; but, as far as I can judge from the speeches and writings of the noble Marquess and from his conduct at Constantinople, there is no reason to think that recent events have changed his former opinions. It is equally clear to me from the speeches he made during the last two years—including that delivered in November last — that the noble Earl the Prime Minister also strongly adheres to the opinions which, in common with other eminent statesmen, he formerly held. It is a curious thing, that in the Circular just issued there are two sentences, one relating to the independence of Turkey and the other relating to the welfare of the Christian populations. The sentences appear to reflect both theories, and to a superficial reader they suggest the notion of a happy compromise having been arrived at on the subject. But this is not a matter for compromise. At a time when we are called upon to make military preparations, we have a right to know which of these important principles Her Majesty's Government intend to adopt. I have said I have some hope of peace, and I will state my reasons for entertaining such a hope. In the first place, the hope is based on the undoubted fact that peace is the interest of everyone concerned. With regard to England, I am glad that England has repudiated with just indignation, as being an infamous insult, the suggestion that we had a desire for war. I feel that a great blow would be dealt at the dignity, the honour, and the interests of this country, if we alone, without an Ally, were to embark in any war of which the purposes were not quite clearly defined and of an absolutely necessary character. As to the other countries of Europe, of course, I speak in perfect ignorance; but, as far as I can perceive, neither France, Germany, Austria, nor Italy, has the slightest intention of joining with us at any time in a war against Russia. Again, take Russia herself. Is it possible that the Emperor of Russia can desire another war? Look at the state of exhaustion in which Russia is. Look at her pecuniary exhaustion—although it is not always safe to rely upon that as an antidote against war. Lately, the Emperor of Russia has witnessed all the miseries of war, and it is impossible to think he can wish to commit his subjects to a renewal of them. It is impossible to think that, having obtained so much, he should wish to run the risk of losing all. He must be perfectly aware by this time that it is in the power of Her Majesty's Government—wisely or unwisely, rightly or wrongly—at any moment, to begin operations against Russia; and he must be likewise aware that, when this country is once embarked in a war, it clings to its purposes with a tenacity which belongs to our race. On the other hand, I cannot believe that if Europe combined can approach him with a just and reasonable limit of alterations, he will refuse to yield to such pressure. I can only say that Her Majesty's Government will probably succeed in attaining the object they have in view, if they act within just and reasonable limits—not assuming the position of preponderating dictation, which was so admirably ridiculed by the noble Marquess in the Autumn, but acting in real concert with the other European Powers, and taking care to preserve to the Christian races without distinction any advantages which they ought to derive from recent events, and, at the same time, freeing them as much as possible from foreign intervention. If Her Majesty's Government succeed in the work, I am pretty certain they will have the support of every moderate and intelligent man in the country, and I am quite certain they will have the support of my Friends who are now sitting near me.

THE EARL OF DERBY: My Lords, your Lordships will, I am sure, believe me, when I say, that if I could in honour do so, I would much rather avoid taking any part in this debate; but, considering the position which I have held during the last four years, it seems to me, that absolute silence on such an occasion with regard to matters which have necessarily been so much in my mind, might be open to the construction, either that I had no fixed opinion on the question, or, that, having an opinion, I was afraid to express it. My Lords, the position which I have taken up in regard to this matter has given rise to many reproaches. I have heard much of indecision, of vacillation, and even of cowardice. If, however, I may judge from my own feelings, it requires infinitely more courage for a man to stand up in his place and to express views which he knows are unpopular among the great body of his Friends, than to sit at a desk in Downing Street, and thence to issue orders which bring to him no danger and no unpopularity, but upon the giving of which may devolve the responsibility of a European War.

My Lords, before I go into the general question, I should like to say one word upon a personal matter. I have been referred to by my noble Friend at the head of the Government, and by newspaper writers and others, as having resigned Office in consequence of the calling out of the Reserves. Now, I feel bound to tell your Lordships that, whatever I may have thought of that step, it was not the sole, nor, indeed, the principal, reason for the differences that unfortunately arose between my Colleagues and myself. What the other reasons are I cannot divulge until the propositions of the Government, from which I dissented, are made known.

My Lords, I need hardly say I have no thought of asking your Lordships to object to the proposition that has been made by my noble Friend at the head of the Government. I do not think it right, except in very extreme cases, that Parliament should refuse such a request, when it is made upon the responsibility of the Executive, who necessarily are more conversant than anyone else with the requirements of the case. But I cannot quite agree with one or two of the observations which my noble Friend made upon the subject. Why, he said, should anyone object to England increasing its Force when all the rest of Europe was either arming or armed? Well, my Lords, my noble Friend does not usually forget the existence of the British Fleet. We have never adopted the Continental system of vast Land Armies; and, if we were, unfortunately, to engage in hostilities with Russia, those hostilities, as far as we were concerned, would be mainly conducted by sea. Now, the British Fleet is not only the most powerful Fleet afloat, but is nearly equal to that of all other Powers put together. Then, my Lords, I must, with all deference, dissent from the appeal which my noble Friend addressed to me when he said—"How can you doubt the policy of this measure—the calling out of the Reserves—when you assented to the early calling together of Parliament, and to the Vote of £6,000,000, which were only parts of the same policy?" My noble Friend knows that I did not very willingly acquiesce in the early summoning of Parliament, and that the date ultimately fixed was a compromise on a proposition that Parliament should meet even earlier than it did. My noble Friend is also aware that I expressed grave doubts as to the necessity for this Vote of £6,000,000; at least, to its full extent. I remember that my right hon. Friend the Chancellor of the Exchequer endeavoured to remove my doubts, by assuring me—which I have no doubt he did in perfect good faith—that we wanted the money principally as a Vote of Confidence, and that only a small portion of it would be spent. No doubt, I acquiesced in the Vote of £6,000,000; but, if I am to make a clean breast of it, I will explain that when that question came forward, I had temporarily retired from the Cabinet. My resignation was in my noble Friend's hands for a period of 48 hours. Meanwhile, public notice had been given of the Vote. I could not but feel, in these circumstances, that it was impossible for the Government to recede from a step which they had publicly announced; and, feeling the great inconvenience of breaking up the Cabinet at such a moment, I acquiesced in what I had previously opposed.

My Lords, I think this is a time when the whole situation may be fairly reviewed; because, until the Treaty of San Stefano was made public, the materials for discussion were wanting; and if, now that the terms of the Treaty are known, discussion were further delayed, it might be too late to serve any useful purpose. Well, the Government determined to call out the Reserves, and the formal declaration is accordingly made that the present state of affairs is one of emergency. Now, my Lords, I am not quite satisfied on that point. I want to know what the emergency is, and who has created it? I can interpret that announcement only in one manner—namely, that the Government consider that negotiations with Russia either have been or are shortly to be broken off, and that immediate war is an event which must at least be looked forward to as probable. My Lords, I cannot take that view of the case; it is not the fact that diplomatic means are exhausted. The negotiations for the Congress, it is true, have come to a dead-lock; but I do not know that that fact, by itself, is much to be regretted. With the single exception of Austria, I do not know that any single Power has ever been anxious that the Congress should be held. Russia objected to it in the first instance; Germany came into it with some reluctance; the French Government did not disguise their aversion from it, giving the somewhat characteristic reason that they would appear there in a different position from that which they held in 1856. Now, my observation is—and I believe it to be the opinion of most diplomatists—that a Conference or Congress is a very convenient agency for putting on record, in the most formal manner, international decisions which have already been come to in substance; but in these days, when we can ask a question and get an answer from the furthest end of Europe within 24 hours, it is just as easy to ascertain opinion, and almost as easy to conduct negotiations, outside a Congress, as within. If I had to deal with the matter, I should endeavour to keep the Congress alive, saying and doing nothing to prevent its ultimate meeting, but letting it stand over until the way was smoothed by private and separate negotiations between the Powers concerned. Now, my Lords, looking at the question from that point of view, I regret the steps which the Government have taken. They put forward a series of objections to the Treaty of San Stefano —objections of a most comprehensive character—and they communicate those objections not only to other European Governments—which is perfectly reasonable—but to the people of this country and the entire public of Europe. Now, my Lords, when, in addition to that, we proceed to arm in such a manner as to indicate an expectation of war, the general impression must be that the English Government demands that the Treaty of San Stefano should be torn up, and is preparing to support that demand by force. This is said to be a spirited and decided policy. So it is. But what is the next step to be taken? There are only three possible issues; and, of these three, one, I am afraid, is hardly within the range of possibility. It is possible that our demands may be acceded to. That would be a signal diplomatic triumph, on which I should be the first to congratulate my noble Friend; but that Russia should give up most of the results of the war, and that she should undergo what the public opinion of Europe would pronounce to be a diplomatic humiliation, is a result which I can hardly conceive can be hoped for. The second possibility is that we, on our side, may withdraw or greatly modify the objections we have taken. But, in that case, the diplomatic failure would be on our side. It would be well enough, in a private communication between two Powers, or in a private bargain between individuals, to ask, in the first instance, a great deal more than you meant to get—but, after a declaration of that kind is made public, and after you are prepared apparently to support it, to drop it, or to recede from the position you have taken up, creates a situation of an almost ridiculous character.

As to the Circular of my noble Friend at the head of the Foreign Office, if it had been addressed—as I have no doubt it was originally intended to be addressed — to the British Representative at the Conference as a summary of what the British Government desired to see accomplished, I should have no criticism to make upon it. But I am afraid, that when the Government put forth its programme to all Europe as that which they intended to follow, and when they accompanied that announcement with military measures, not in themselves unimportant, and the effect of which will be enormously exaggerated abroad, they are making concessions on the part of Russia much more difficult than before. I go so far as to say that if Russia were willing to take back her Treaty—although I do not contend that operation would not be beneficial to Europe—it would, at least, be a strong proof that she is not so aggressive and dangerous a Power as we have been in the habit of thinking. On the other hand, if Russia, as I believe, is not willing to cancel the Treaty; but, if, as I also suppose, she is prepared, in deference to European opinion, to consent to a considerable modification of what she has proposed, then I think the difficulty has been increased in two ways—first, by the publication of these negotiations; and next, by the appearance of menace which that publication involves. We all know how difficult it is in private life, when anything like a threat has been used, to yield that, which if such pressure had not been brought to bear, would have been readily yielded.

I may be asked, however—What, in the circumstances, would you do if you were consulted? My answer is, that I would not have pressed matters on in such hot haste. There is just now great irritation against us in Russia, and I do not think I am wrong in saying that in this country a very strong feeling of irritation against the Russian Government exists. I am speaking of public opinion in both countries, and not of their Governments. I do not believe that there is any very strong ground for that irritation on either side. By giving an opportunity for that feeling to subside, it appears to me that no harm could be done, while some good might be effected. I should have placed our views directly before the Russian Government, and discussed them point by point. The opinions of other Governments would not have been difficult to obtain—on many points we have got them already; and I think that many of the results of a Congress might be attained without the rather cumbrous machinery of a Congress itself. No doubt, I may be told that while we were doing all this we should be losing time. Well, it is certainly an evil to prolong the state of anxiety and suspense in which we have already so long continued; but where military measures are concerned, I own I do not see on the English side what good reason there is for haste. Assuming that the worst happens—that we are not able to settle this question peaceably, and that war is proclaimed, who, I would ask, would lose most by delay? Russia has an enormous Army to keep up. She will not only be compelled to keep that Army up to its present numerical standard, but even to add to its numbers. We all know that she will be ill able to bear the expense. As to ourselves, we are free, in a military point of view, to choose our own time and place. The seas are ours, and no Russian men-of-war are likely to be seen there once a war breaks out. No English Dependencies can be even threatened by any Russian Army. I do not, therefore, understand what reason there is for exceptional haste in strengthening our Land Forces in face of a war which, even if it come, ought to be mainly a naval one. My noble Friend has certainly suggested that the Russian Army, if it could once get across the narrow strip of sea, might march through Syria and threaten Egypt. Now, we have always, in considering points of this kind, borne in mind the fact that we are mistress of the seas, and that we could sufficiently defend Egypt by naval means. I do not see how the remarkable operation of which I am speaking is to be executed. I am at a loss to understand how a Russian Army could march all through Syria and reach Egypt before a British man-of-war could leave Besika Bay and arrive at Alexandria. I do not, therefore, understand this haste in calling out our Reserves. I could understand it if it were simply the object to strike while the iron is hot—in other words, if it were for the purpose of taking advantage of the military feeling which is now so strong throughout the country, but which, probably, may cool down in the course of a few weeks. But my noble Friends would, I am sure, disclaim that imputation, and I give them credit for entire sincerity. There are, in this connection, three questions, which must be answered sooner or later. Have you settled what are your means of fighting; who are to be your Allies; and what it is you are fighting for? The first question is one to which I do not profess to be able to give a clear answer. The only thing I see plainly is, that we believe England and Russia now may go on for a very long time without inflicting a vital injury on either side. You may very easily bring Russia to a state of bankruptcy; and, when you do that, you will have brought ruin on English holders of a considerable number of Russian securities. There is not, however, I believe, on record, a case in which any war was stopped in that way. Poor though Russia may be—and, no doubt, she is poor—she has an enormous territory, and can always find men and food. Now, when these two requisites are supplied in unlimited abundance, and a martial spirit animates a people, defensive fighting may go on for a very long time. You may blockade the Russian ports; but the losses sustained will not be all on one side. You may keep Russian corn out of this country, by which your own people will be the chief losers; but in these days of railroads the power of blockades is, except in very special cases, greatly limited; and with the German ports open, all you could accomplish by means of the most rigorous blockade would be to compel the commerce with Russia to make a considerable circuit. It has been said that a war between this country and Russia, no other Power taking part in it, would be not very unlike one of those duels between German students of which we used to hear, fought with sword blades of which only an inch or two at the ends was left bare. They might inflict a cut here and a gash there, they might cut off a nose, or do injury to an eye, but they were powerless to inflict any vital wound. All this you cannot help; nor, can you do anything serious by land against an enemy whose strength was only half developed when the First Napoleon invaded the country with 500,000 men and failed. We, on the other hand, are absolutely free from risk of attack by Russia, except in so far as intrigues and secret negotiations may do something to weaken our authority in India. Now, my Lords, I assume that there is not one of us here who desires a war at any time. But, I may observe, that, in a popularly governed country like this, where the people are easily excited, and where they are apt to complain if their Armies do not perform impossibilities—remembering, as we do, the excitement and agitation at the time of the Crimean War—the most inconvenient kind of war to enter into is one which is very prolonged, very costly, and which is likely to be ultimately indecisive. Now, my Lords, I come to a question, in dealing with which I feel more at home. In the event of a war against Russia being undertaken, whom are we likely to have for Allies? Now, that is a matter upon which we have abundant means of forming a judgment, and I can tell you with certainty who will not be our Allies. In Germany, so far as the Government is concerned, the feeling has been from the very beginning of these transactions,—as is abundantly proved on the face of documents which have been laid before Parliament—one of warm and undisguised sympathy with Russia. That may not be the feeling of the German people, and there is every reason to suppose that, so far as a large portion of the German people is concerned, that is not the feeling which exists. But we have not to deal with the German people—we have to deal with the military oligarchy that governs Germany; and, as a matter of fact, neutrality, and that which would not be called a benevolent neutrality, is all I think that we could expect from Germany. From Germany, I pass to France. What is the line likely to be taken by the French Government? That is a question which I can answer without the slightest hesitation. I can do so, not because of any private or exclusive information, but judging by what we all know of the state of feeling in that country. There is not, I believe, a single French politician of any party who would accept the policy of another Crimean War. The fact, so far as I am able to form an opinion, is that the Crimean War was never popular in France. We all know that that war, however useful or beneficial in its results, was made by the late Emperor of the French for personal and dynastic objects. He at the time stood in a very peculiar position. He exercised supreme power, but he found it very difficult to get any respectable men to come near him. The little transaction of the Paris Boulevards was fresh in men's minds; the recollection of it had to be effaced; and, in these circumstances, he, as an absolute Sovereign, no doubt, thought it a wise policy to sacrifice 100,000 French lives, in order to secure the prestige and respect which he expected would accrue, and which undoubtedly did accrue, to him, from an alliance with this country. That *régime* has, however, collapsed, as everybody knew that it would sooner or later, and in the present political situation of France, it seems to me that there is little prospect of her joining us in a policy of war. From France, I pass to Italy. There, no doubt, the circumstances are extremely different; but the result is, I am afraid, the same. Sardinia, in 1854, joined the Allies in a most gallant and spirited manner. Sardinia in 1854 was just in that position in which an adventurous policy is sure to be popular. She wanted a great deal, and possessed very little. But Sardinia is now absorbed in Italy. Italy is complete, and is content; her finances require to be re-organized, her administration to be consolidated; and I am sure neither my noble Friend at the head of the Foreign Office, nor any one else, entertains much hope of common military action with us in the case of Italy. There remains, no doubt, one great Power, and that is Austria. I fully admit that if you are to seek, with a chance of success, for an Ally anywhere on the Continent, Vienna is the quarter to which you must look. But it is, I think, fairly open to doubt, whether it would be safe for us to rely much on Austrian co-operation. I am only stating that which everyone knows, when I say that there are very close and intimate ties between the three Emperors. In the next place, situated as Austria is, she would hesitate before embarking on anything which might be regarded as a rash policy, and would hardly come to a rupture with Russia unless she were previously assured of the support, or at least the neutrality, of Germany. Her population, too, is divided into a great many races not very friendly to one another; and, in fact, Austria is a country which a single unsuccessful campaign might not impossibly break up. Then you have to look to the internal divisions of the Empire. No doubt, the Magyars have strong sympathies with Turkey, but a directly opposite view is taken by the Slavs. Then, you have the Austro-Germans, who want only peace. With two independent Parliaments pulling different ways, with an Army partly Slav—and to that extent dangerous to use against Slavs—with finances in such a state that I understand she had considerable difficulty in raising the £5,000,000 or £6,000,000 required for the first mobilization of her troops—with all these elements of weakness, of confusion, and of discord, Austria, it seems to me, is a country on whose efficient aid we cannot fairly count. Then, my Lords, admitting, as I undoubtedly do, that the Austrian Government are sincere in their professions; assuming, if you please, that she is more efficient as a military Power than I, individually, believe her to be, the wide divergences between Austrian interests and those which we consider ours are such that, even if she were to enter into alliance with us, a compromise might at any time be effected between her and Russia by which we would lose that alliance. You cannot be sure that if Austria will come into the field with us as an Ally—we cannot be sure that if she does so she will not go out of the field without us—we may not have to go out of the field without her. Such is the state of things; and, in the circumstances, I am compelled to ask, if we are—I do not say drifting, but—rushing, into war, what it is we are going to fight for? What is to be the result of the war, assuming it to be successful? I know, at least, what it will not do. One class in this country, and it is rather a numerous class, will be sure to be equally disappointed, whatever happens. Those who profess admiration for Turkey, those who lament the fall of the Turkish Empire, are out of Court. You might have kept that Empire alive for a time, but you cannot now restore it. My noble Friend the Secretary for Foreign Affairs would be the last person to wish to do so. England would not allow it, and all Europe would be against it. If, then, you cannot restore the Turkish Empire, what are you to do? Are you to go to war to cut off something from the pecuniary indemnity which Turkey has to pay to Russia, or to make various modifications in the details of the Treaty of San Stefano? Those are results which may be fairly attained by means of diplomatic negotiations; but the objects, it seems to me, are not of such transcendent magnitude as to justify the Government in preparing to enforce them by war, or by threats of war. We know, however, that there is a good deal more behind than any modifications of the Treaty. Consult the public—ask the first man you meet, and he will tell you, nine times out of ten—"Oh, we have lost influence in Europe, and we must fight to regain it." Well, I do not admit the fact. If it is any satisfaction to us to know it, from one end of Europe to the other, England's movements are watched with intense anxiety. That is a satisfaction which we may enjoy at the present, whatever anybody may think of the transactions of the last two years. Whether they think we have done too much, or too little, or not done what we ought, there is one thing certain — that during these two years England has not in any quarter been regarded or treated as a feeble Power. I own that individually this is not a kind of glory I care very much for; but, such as it is, you have it. I would say more than that. If it were true in any respect that English influence in the East were diminished, I should say it was diminished by a course of action which we deliberately and of our own free choice adopted. We chose to stand neutral—conditionally neutral, if you please, but the condition did not lessen the neutrality—we chose to stand neutral when we knew that Turkey must be defeated; and it is almost ridiculous now to say—"Oh, that is quite true; but then, you see, when the war began, we did not count upon Russia obtaining such an accession of military prestige." If you did not expect that, what did you expect? The truth is, that those whom I was once taken to task for calling our employers—the public—have not, from the beginning of this business to the end, known their own minds for six months together. Two years ago, it would have been almost dangerous for any man to get up at a public meeting and express in plain terms his doubt as to the disinterested philanthropy of Russia. Now, the cry is all the other way; and, as I believe, I have been an object of criticism in these two agitations, I may speak with impartiality; and I must say, that the foolishness and the virulence of each does not leave much to choose between the two. If I could from this place address the English people, I would venture to ask them how they can expect to have a foreign policy—I do not say far-sighted, but even consistent and intelligent—if, within 18 months, the great majority of them are found asking for things directly contradictory? When we might have saved Turkey if we had chosen, not a voice was raised in favour of that course; and now, when the enemy—if you choose to call him so—is inside the fortress—when the Russian Army is at or near Constantinople—nearly everybody is crying that we ought to turn them out. I venture to ask whether a war for the sake of influence would be a war worthy of us? We have seen the experiment tried on a great scale not so very long ago. That was the motive—you may say the avowed motive—which led the late Emperor of the French to pick a perfectly purposeless and senseless quarrel with Germany. We know how that ended, and I do not think the author of that war was much pitied, however much we might sympathize with the people who suffered with him. Grant that we should be more fortunate, that we were successful, and obliged Russia to give back nearly all she has taken. What then? You will not have gained the greater part of your object. You will not have destroyed Russian influence or substituted English influence in European Turkey, because Russian influence in that country, which is now to be called Bulgaria, rests only in a slight degree upon military success; it rests on what you cannot take away—identity of race, community of religion, similarity of religion, traditional historic sympathies, and the common hatred felt against the common enemy. These are influences which you cannot take away; they will continue when not one Russian soldier is left in Bulgaria; they would continue even if English or Austrian soldiers had taken the place of the Russian Government. I say, therefore, if you go to war for the sake of influence over these populations, you are fighting for a shadow, and even that shadow you will not secure.

My Lords, I thought this was a convenient time to offer these general remarks on the policy which lies before us. I admit, of course, there are circumstances by which we may be forced into war; but I think that, *primâ facie*, there is a great objection to undertaking to accomplish by war that, which if you are to gain your object in the most complete and efficient manner, will have to be done again in 20 or 25 years. We thought the work was done in 1856, and we know how far that expectation was disappointed. I certainly shall rejoice if my noble Friends, by peaceable and diplomatic action, obtain those results for which they hope. I shall not be inclined to reproach them, if, still confining themselves to the use of peaceable means, they obtain results considerably inferior to those put forward. But I must say I require something more than any of the reasons and arguments I have heard, either in this House or out of it, to show me that, in the circumstances which now seem likely to arise, there is a *casus belli*. Unless such a war be absolutely forced upon us, I object to it, because it will be a war undertaken without necessity, because it will be a war undertaken without a clear and defined object, because it will be undertaken with a divided country, and, in all probability, without an Ally.

THE LORD CHANCELLOR: My Lords, I rise after my noble Friend, not to reply to his speech, but to make some observations on the speech of the noble Earl (Earl Granville) who preceded him. I may differ from my noble Friend as to the means by which the objects that I know both he and I have at heart may be attained, and I may differ from him —and I do differ widely—as to the fitness, and even as to the fairness, of many of the statements which he has now thought it right to make; but I have lived too long in friendship and council with him not to be well aware of the pure and patriotic motives by which his mind is inspired. But, lest there should be misunderstanding, I will refer to one or two of his remarks. If I understood him rightly, my noble Friend said England had never been in the habit of maintaining vast military armaments, and he seemed to imply that we were about to depart from our usual custom; but the noble Earl is well aware that the calling out of the Reserves will only put the country substantially in the position it occupied previous to the recent legislation as to our Military Forces. I am sorry to hear that my noble Friend does not regret that the Congress is not to meet. I was not aware that that was his view; it certainly is not mine. I regret very much the difficulties that have arisen in the way of the meeting of the Congress, and I believe the majority of the people of this country share that regret. I cannot foretell what might have been the consequences of its meeting, but I am confident that throughout the Continent—if you except perhaps one of the late belligerents—there is a firm and deep desire for peace; and I believe that in no way could this feeling have found expression more readily than in a Congress, where the feelings of the different countries would have been known, and strenuous efforts—and I believe successful efforts—made to overcome the difficulties which have arisen.

Turning to the criticisms of the noble Earl (Earl Granville), I am glad we have the concurrence of the noble Earl in the opinion that the Treaty of San Stefano is open to objection on many points. The noble Earl, however, is anxious to establish that, although he has not opposed the policy of Her Majesty's Government, he has not assented to it; and he maintains that an Opposition is not bound to express any opinion as to the policy which the Ministry of the Crown think it right to pursue. But I own, my Lords, that I cannot see any analogy between his present position and the case of the Crimean War, which he brought forward in justification of his view. Where the Crown has declared war, and appeals to Parliament for support, it may be very patriotic for the Opposition, even if they do not approve their policy, to support the Government. But we are not at war. During the last two years we have been at peace—the conditions on which the policy of the Government was based were again and again explained and asserted—and yet, during the last two years, the noble Earl and his Friends have not thought it desirable to move a Vote of Censure. My Lords, I must leave it to the noble Earl to reconcile his conduct as best he may to his sense of duty. But what I understand to be the duty of an Opposition is this—if they believe the policy of the Government to be wrong, they are bound to challenge it.

The noble Earl then re-produced our old friend the Berlin Memorandum. I thought we had heard the last of that. Whenever any speaker during the last twelvemonth has found nothing else to say against the Government, he has always wound up with—"Why did you not agree to the Berlin Memerandum?" It has always seemed to me that those who make this inquiry had never read the document, for I thought it had come to be agreed throughout Europe—even by those Powers who were parties to it—that it was one of the happiest things for Europe that the Berlin Memorandum had not been agreed to, and had, in fact, been abandoned. But, certainly, it is now too late to re-open the Berlin Memorandum.

I now come to what is more relevant to the present occasion. The noble Earl (Earl Granville) said the Government are now attaching too great importance to the Protocol of 1871—of which I believe the noble Earl was the author. He says it was treated very lightly at the time; we did not look upon it as a masterpiece of statesmanship, but that now we are treating it as a landmark in public law. I remember very well what was said about it at the time. It appeared to the people of this country that, when we were surrendering to the demand of Russia what was always considered a very important stipulation in the Treaty of 1856, it was a very poor compensation to obtain from her a Declaration that no alteration should be made in an European Treaty without the assent of the signatory Powers. But what we now say is this—We made the surrender—we got this Declaration in return; and, having got it, we want to make the most of it—we want to enforce it.

The noble Earl says, if we wished to have this Treaty of San Stefano considered by all the signatory Powers, why did we not address ourselves to Austria, which called the Congress together? That is a very reasonable question, which ought to be answered. I quite agree with the noble Earl that it was to Austria in the first place that our communication should have been addressed. It was Austria that invited the Congress, and stated its object—to consider the Treaties of 1856 and 1871, and how far the Treaty of San Stefano was in accordance with those earlier Treaties; and it was quite right, the Congress having been proposed by Austria, that we should apply to Austria for a clear understanding as to what was to be the scope of the Congress. Well, we did communicate with Austria. We applied to Austria in the first instance; and it was in consequence of that application that we became aware of the misunderstanding which seemed to exist on the subject. Russia apparently made a communication to Austria, which she certainly did not make to us in similar terms. Your Lordships will find the history of this misunderstanding in the Paper relating to Turkey No. 24, in the despatch of the 14th March. [The noble and learned Lord read extracts from the despatch.]

The next comment of the noble Earl was of a different kind—and I should like to state it as fairly as I can, because it appears to me to open up a subject extremely worthy of your Lordships' careful attention. The noble Earl says it is about nine months since you had a communication from Russia of a general character, containing the terms of peace she would propose—which terms were afterwards extended in the Treaty of San Stefano, and the noble Earl says that we ought then to have informed Russia of the objections we entertained to those terms. Now, what is the fact? In the first place, I think the observation may fairly be made, that it would not have been the wisest thing in the world, before it could be known that Russia would be victorious and in the condition to dictate terms of peace, to enter into a controversy as to what those terms should be. But the fact is, that very shortly after we received that communication, we had a further communication from the Russian Ambassador, in which he stated that he did not wish any opinion to be expressed on those terms until he was officially desired to ask what our opinion was. But I am very anxious that your Lordships should observe the cardinal difference between those terms of peace and the Treaty of San Stefano. As I read the terms, proposed in July last year, they had, almost every one of them, the very ingredient we desire to see in those of San Stefano. Russia is named as the arbiter of every arrangement in the Treaty of San Stefano — whereas, Europe and the Powers were to be the arbiters under the terms of July last year. The whole terms are changed. In July, Bulgaria was to be a vassal Province under the guarantee of Europe; now she is to be a Province under the administration and constitution of Russia. There is the greatest difference between the terms which Russia said at first she would accept and the Treaty of San Stefano.

But that is not all. Immediately following the communication of the original terms, another most important communication was made to Her Majesty's Government. Colonel Wellesley was the military *attaché* present with the Russian Army; and, when he was coming home, on leave of absence, he was charged with a communication by the Emperor of Russia himself. The Emperor was graciously pleased to give Colonel Wellesley an interview for the purpose of making an important communication which he wished Colonel Wellesley to explain to Her Majesty's Government; and, that there might be no mistake in the matter, it was reduced to writing by Colonel Wellesley, who submitted the Memorandum so prepared to the Emperor, and His Majesty said it was correct. His Majesty repeated what he had said to Lord Augustus Loftus, and then comes this clear and distinct statement—

> "The conditions of peace required by the Emperor are those lately communicated to Lord Derby by Count Schouvaloff, and will remain the same as long as England maintains her position of neutrality. But if England should depart from that neutrality"—

(We have not departed from our position of neutrality)—

> "the position would assume a new phase. His Majesty has no ideas of annexation, beyond, perhaps, the territory of Russia lost in 1856 and a certain portion of Asia Minor."

And now, my Lords, I beg your Lordships to observe the promise which follows—

> "Europe will be invited to a Conference for the final settlement of the conditions of peace."

The conditions of peace! That is, the whole of the conditions of peace. We have the solemn promise of the Emperor that Europe will be invited to a Conference for the final settlement of the conditions of peace. But, I ask, how can those conditions of peace be finally settled by a Conference, if one of the parties to those conditions is to exercise an option either of restricting or not admitting the discussion of any one of the conditions? My Lords, it was because the conditions of peace communicated to us in June were widely different from those in the Treaty of San Stefano, and also because we had the promise of the Emperor that even those conditions were to be finally settled in a Conference of Europe, that it would have been unfitting in us to express, and we did not express, a disapproval of, or an opinion on, those conditions.

The next criticism of the noble Earl (Earl Granville) was one which may be easily disposed of. He said that the Treaty of San Stefano occupied a considerable time in negotiation—the Foreign Office must have known tolerably well the nature of the Treaty, and yet it was not until the Circular of my noble Friend (the Marquess of Salisbury) that any criticism was expressed by the Government upon it. Now, I believe the Treaty was not given to Her Majesty's Government in an authentic form until last Saturday week, and the Circular of the Secretary of State was issued on the Monday week following—that is, a week was taken by Her Majesty's Government to consider and express an opinion upon the Treaty.

Then, the noble Earl says—"Your Circular criticizes and points out objections, but does not make any counter proposition to replace that to which the objections are taken." My answer to that is, that any proposal of an alternative would have been entirely out of place in the Circular. We wanted to make it quite clear why the Congress is not proceeding, and the argument of the Circular is that the Treaty of San Stefano must not be considered one clause here and another there, but that the Treaty must be looked at as a whole by the Congress. The noble Earl says—"You go too far—your Circular is virtually an attack upon the Treaty of San Stefano. It informs not only the people of this country but the populations of Europe that you intend to demand its sacrifice." Now, I entirely demur to that interpretation being put upon the Circular—nobody who has read it can fairly come to that conclusion with regard to it. If I understand it rightly, nothing is more clear than this—that, although the Circular appeals to the Treaties of 1856 and 1871, it admits the logic of facts; it admits that there must be great changes in the Treaty laws of Europe—it does not in any one line suggest that there are not to be these changes—but it says that those changes must not be the subject of stipulation between two of the signatory Powers, but must be the subject of discussion, and, if possible, of agreement, between the whole of the signatory Powers. The question is not, and the question need not become, a question of war—it is a question whether those great changes are to be made in Europe with a high hand by one Power without the consent of the nations of Europe. It is not a question of England seeking to dictate to the nations of Europe. We believe the interests of England are the interests of Europe. These interests are to have a peace which will be permanent—a peace which will secure the happiness of the nations affected by those arrangements, and we believe that the Treaty of San Stefano cannot secure such a peace. We believe that, if fairly considered by the Powers of Europe, the conditions of the Treaty will be held not to accomplish that end; and it is on that account England has declined to enter into a Congress where she would be unfairly fettered.

Lord SELBORNE said, their Lordships had heard the reasons assigned by the noble Earl who was until recently the Minister for Foreign Affairs for his retirement; and when their Lordships recollected that the noble Earl had been in a position to understand whether the tendency of the course taken by the Government was really in the direction of war or not, the mere fact that the noble Earl had been obliged to sever his connection with the Government was a strong reason why we should all believe that the danger was a real and a serious one. Everybody who was acquainted with his noble and learned Friend on the Woolsack knew that his desire must be in favour of peace; but still he had heard nothing from the beginning to the end of the speech just delivered which gave a ground of hope that these measures could have been taken without creating rather than removing the danger in the presence of which we were placed. The noble Earl the Prime Minister claimed the support of the House, on the ground that no Resolution had been proposed in either House of Parliament condemnatory of the course pursued by the Government; but he (Lord Selborne) contended that if we were to bring the present steps and measures of the Government to the test of their past policy, it would be found impossible to reconcile the two—at all events, the arguments hitherto offered with that object were wholly insufficient. The Opposition was not called upon to offer any opinion on the past policy of the Government in a Party sense, because it was professedly a policy of peace and neutrality. Being agreed with Her Majesty's Government in their main policy of peace and neutrality, and also in the desire which they professed, to ameliorate the condition of the Christians in the Turkish Provinces of Europe, it would not have been proper for the Opposition to embarrass the Government as long as they were pursuing a policy of that character. But it appeared to him that the character of the policy pursued by Her Majesty's Government had now entirely changed. It was much too late for Her Majesty's Government to attempt, as the Prime Minister had done that evening, to fall back upon the Treaties of 1856 and 1871, and to call the reference to those Treaties, in Lord Derby's despatch at the beginning of the war, the "keynote of their policy, and the diapason of their diplomacy." If those Treaties bound Great Britain or the other Powers, under the circumstances of this war, to anything, they bound them to guarantee to the Turks, if necessary, by armed assistance, the independence and integrity of the Ottoman Empire. But Her Majesty's Government, and all the other Powers, had absolutely refused to recognize that obligation, or to fulfil that guarantee. Both before and after the commencement of the war, it was stated, and repeated continually, in and out of Parliament, in communications with the Porte, and also in communications with Russia and every other European Power, almost *ad nauseam*, that they would leave Turkey to her fate; that they would be neutral in the war, though distinctly foreseeing the dismemberment, not to say destruction, of the Ottoman Empire as its consequence; that they would do nothing for the sake of Turkey, and would limit themselves to watching over British interests. He (Lord Selborne) failed to see how that policy could be reconciled with the policy which Her Majesty's Government now seemed resolved to pursue. If they were to look at the long negotiations that had preceded the Russian Declaration of War, could it be said that Russia was without a justification for the course she had resolved to adopt? We ourselves declared, when Turkey refused—first, the propositions of the Conference, and afterwards the Protocol—that she had put herself in the wrong before all Europe; and that the engagements, which she had refused to fulfil, were engagements on which all the Powers, parties to the Treaties, had a right to insist. The war broke out; and we publicly declared our neutrality. How was it possible to reconcile that fact with the present contention that we were to go to war with Russia on the ground of her non-observance of Treaties which were in force; but on which, at the outset of the war, and even since, up to the recent conjuncture, we had refused to act. The communications that passed between England and Russia in May and June last year seemed to him to add to the gravity of the present situation. In May, Lord Derby wrote to define British interests, and on the 8th of June an answer was received in which Russia declared within what limits she would comply with our request, and what were her views as to the terms of peace, provided her Armies did not cross the Balkans—adding, that if her Armies were obliged to cross the Balkans, the terms would probably be more severe. He did not see that that communication had ever been modified to any material extent. The conditions mentioned in that despatch were the retrocession of Bessarabia, the cession of Batoum, and a part of Armenia not defined, the independence of Roumania, and the autonomy of Bulgaria, &c.—in fact, they corresponded very much with those of the Treaty of San Stefano. Under these circumstances, he was somewhat astonished to hear his noble and learned Friend on the Woolsack say that there was nothing in the terms of peace communicated last year that was at all alarming to Her Majesty's Government. At that time the Russian Armies had not even crossed the Danube. If a Treaty of Peace, on those terms, was to be a *casus belli* now, why not then, when a demonstration on our part might still have saved the Turkish Empire? Good faith, even towards Russia, required that some hint, at least, should be given, in reply to such a communication, of the attitude which we were going to assume. But not a word was spoken in that sense; on the contrary, we still continued, in the communications which followed, to dwell solely on British interests, as before defined, and upon the security of Constantinople. Was it not evident that Her Majesty's Government had since that time changed their policy? There had been no change on the part of Russia; she had said from the first, that if her Armies passed the Balkans, the stringency of her terms might be increased; and she had never refused to go, on equal terms, into a Congress. For his part, he (Lord Selborne) was not convinced by anything he had read in the papers, that Russia at this moment intended, or had ever intended, to refuse a voice to the European Powers in the Congress on any of the points that might reasonably be argued to be of European interest in the Treaty of San Stefano. It was entirely an assumption that Russia intended to recede from the position laid down in the despatch foreshadowing the terms of peace. Neither could he omit to remind their Lordships, that even before that communication of the terms of peace was made, Her Majesty's Government had already received from Mr. Layard a letter in which he expressed his opinion as to the dangers of the war, as to its probable issues, and as to the necessary preponderance which Russia would obtain over Turkey in Europe—and, when we got those terms of peace, what was done? They were sent confidentially to Mr. Layard, who wrote two more despatches, which seemed almost to have inspired the speech of the Prime Minister to-night. Then, it was not too late to have done something; but we adhered to our neutrality, and let the war go on with these results staring us in the face. It was hardly possible that it could have been our policy to look on while Russia was destroying Turkey, intending all the time to turn round upon Russia when she should be weak and exhausted, like —if he might use a homely illustration —one of three boys in the street, who stands by while two others are fighting, and, though he never moves a finger to save his friend, reserves his own strength, without any notice, for an attack upon the conqueror when he is tired. That could hardly be called a magnanimous policy, or one worthy of Great Britain. When he heard the Prime Minister, to-night, sketching the possible advances of Russia, he could not help thinking of the speech of the present Foreign Secretary, about a year ago, in which he had ridiculed the idea of Russia reaching certain points by successive steps, the impossibility of which would be evident if reference were made to large maps.

THE MARQUESS OF SALISBURY: I was answering a noble Lord (Lord De Mauley), who, in supporting his Motion for the appointment of a British Consul in some city of Central Asia, had made reference to the possibility of a Russian invasion of India. It was in reference to the noble Lord's argument, that I made use of the expression regarding the use of large and small maps.

LORD SELBORNE thought, if he remembered rightly, that the noble Marquess had spoken of the absurdity of a series of moves which might ultimately land us at the Cape of Good Hope; and that, of that series of moves, the Suez Canal and Egypt certainly formed part. That speech of the noble Marquess appeared to his mind to be quite an answer to the Prime Minister's present alarm. It was very important to observe that the communication of Count Schouvaloff, containing the terms which Russia would exact if she were successful, was not met by any declaration on the part of this country to the effect that those terms were dangerous to our interests. When the war was going on, no mention was made of Armenia as a British interest, although Mr. Layard strongly insisted upon it, as opening a road to India, and furnishing a base of operations against our Indian territory; our only anxiety was then to prevent an occupation of Constantinople. And when we were asked by Russia, whether we desired to enlarge the scope of British interests, we did not offer to do so. Even, after the fall of Plevna, when we were asked whether there were any other interests we were concerned about, we only mentioned the Dardanelles. It was, therefore, impossible for the Government, consistently with the course they had followed, to assume an attitude of hostility against Russia merely on account of the character of the Treaty of San Stefano. But, it was said the state of things was altered, not by the making of the Treaty, but by the refusal of Russia to go into the Conference on reasonable terms. He could not see that Russia had done any such thing. We made a demand which was perfectly reasonable, as it was explained; but it would not have been at all reasonable without that explanation. We asked that every Article of the Treaty should be laid before a Congress—

> "Not necessarily for acceptance, but in order that it might be considered what required acceptance or concurrence, and what did not."

That seemed to him a perfectly reasonable request, and he should have thought it good policy on the part of Russia to give a simple and absolute assent to that stipulation. In the condition so explained, there was no substantial difference from what Russia was willing to give; but she preferred to do it in her own terms. He was afraid the fact was, that both Governments had assumed an attitude of suspicion and alarm, which had been the real obstacle to a mutual understanding; and Russia, perhaps, imagining that some trap had been set for her, desired to give no engagement except in her own terms; but, the substance of that which the Government asked for, when explained, was assented to by Russia. He was totally unable to discover any practical difference between that stipulation and the assurance which Russia had before given to Austria, and through Austria to all the Powers; and why we were not content with that assurance, he could not conceive. Our own explanation admitted that there might be some things which would not require European concurrence; and Russia distinctly admitted that every part of the Treaty which affected European interests would require such concurrence; that the Congress would have to examine what were the Articles of the Preliminary Treaty which affected the interests of Europe, and that all the points which were found to be of European interest, would be submitted to its deliberations. It was worth notice that the Treaty was called "Preliminary," which clearly implied that the settlement of the final terms of peace was regarded, even by Russia, as requiring the concurrence of Europe. He could not conceive, in spite of the explanation from his noble and learned Friend on the Woolsack, what was the reason why the Government, having received a sufficient assurance from Russia through Austria, which issued the invitation to the Congress, was not satisfied with the assurance so given. It was admitted that no Power was to be bound by the vote of a majority; and it could not be contended that Russia was to be bound more than any of the other Powers. The other Powers might bring forward for discussion whatever Article of the Treaty they might think affected European interests or their own interests; but Russia reserved, and he thought it was most obviously reasonable that she should reserve, her right to object. He did not see any substantial difference between the position as laid down to Austria and that expressed by Russia to this country. If both sides had been desirous of avoiding the Conference and breaking up the European concert, they could not have taken a course better fitted to have that effect than that which they had taken. It was deeply to be regretted that anything should have happened to prevent the Conference, after the substance had already been conceded to Austria, and even to ourselves, with the exception of the form. Austria was satisfied with the assurance she had received; did Germany, France, or Italy refuse to go into the Conference unless they received a separate assurance such as we had insisted on? What would have been the effect of going into the Conference? If Russia had put her finger on one Article after another of the Treaty, and refused to allow any material Article to be discussed, we should have known who was responsible for breaking up the Conference. There was nothing to give the slightest colour to the notion that Russia would have been so unreasonable as to withdraw any material Article from the discussion of the Conference, except that very extraordinary Correspondence about Roumania and Bessarabia. But, if the alleged conversation did occur, and had not been misunderstood or misreported, still it would not be his own conclusion, that Russia could really have endeavoured to withdraw the question of Bessarabia from the consideration of the Congress, there being no one Article in the Treaty more undeniably of European interest than this was. In the first place, the integrity of Roumania, including that part of Bessarabia, was expressly guaranteed, as a matter of European interest, by the Treaty of 1856; and, in the second place, Russia had not only been at peace with Roumania—she had concluded with her, only last year, a solemn and positive Concession, by which, in return for the right of passage granted to her troops through Roumanian territory, she had herself separately guaranteed the integrity of that territory, without excepting the part of Bessarabia in question. It might be that a tone had been used, for the purpose of obtaining the consent of the Roumanian Government to that part of the Treaty, which he, for his part, could not reconcile, either with generosity or with good policy. If so, it was very much to be regretted that Russia should have endeavoured to put any such unworthy pressure on her Ally; but he could not accept that as a reason for believing that there would be an attempt to withdraw from the Congress either the Article with reference to Bessarabia, or any other question which was really an European one. With reference to the despatch of the noble Marquess (the Marquess of Salisbury), he would only say it was quite possible to display too much ability in a despatch. Its brilliancy might be admired; but if it did harm to the interests of peace, those who composed it would hereafter find in it little cause for satisfaction.

"Ridenda poemata malo
Quam te, conspicuæ divina Philippica famæ."

He could not but think that, by condemning in such universal terms a Treaty not essentially differing from what was known many months before, the Circular might produce effects in Russia which it would be difficult for any system of policy to countervail. The despatch itself erred in some at least of its details. For example, it said that the Ruler of Bulgaria was to be chosen by Russia. But the Treaty made his choice subject to approval by the Powers. It made a great deal too much of the mention of Russian Commissioners here, there, and everywhere, which might be absolutely necessary, to fill up blanks in a preliminary Treaty, meant to be immediately operative between Turkey and Russia; but which, on the first opening of a Conference, might be found to offer no obstacle to the admission, on equal terms, of Commissioners from all or any of the other Powers. He took exception, also, to the argument that the effect of giving large autonomous institutions to the Christian Provinces would be to make Russia practically mistress of those countries. It was remarkable that the noble Marquess, writing from Constantinople after the Conference, anticipated that to the arrangements which the Conference had proposed, and which he himself had strongly recommended, similar objections might be made. The noble Marquess said, that though Russia had extended her territories during the last half-century over many tracts, and had brought under her rule many peoples, he had never heard that any of those peoples had, of their own accord, willingly submitted to her. The noble Marquess himself said that these people had no wish to be the slaves or the instruments of Russian ambition, and he thought it required very little observation of the facts to arrive at the same conclusion. And the noble Marquess, apparently, then thought that though some portions of European Turkey might receive some kind of self-government, that would not necessarily throw them into the arms of Russia. It was known, of course, that Roumania would, on all occasions, side with any Power that would obtain independence for her. But now we saw Roumania, so far from being the tool of Russia, stoutly remonstrating because the Emperor desired—very naturally, perhaps—to recover that part of Bessarabia which had been taken from him, and we saw her emissaries going round to all the Courts of Europe protesting against it. The attitude of Greece was not less significant. We might depend on it, that what all these people wanted was self-government and independence—they did not want to remain under the domination of Turkey, nor to fall under the domination of Russia. If we entered into what he could not but regard as a most causeless, wilful, and unjustifiable war, we must take a course which would end in one of two things—either, in retarding the independence and frustrating the hopes of these rising nations, upon whom we must ultimately rely for maintaining the balance of power in the East of Europe, or in our undertaking ourselves to re-organize the Turkish Empire in a manner which could not, without a great sacrifice of our own consistency, and of the stipulations of those Treaties on which we were now professing to take our stand, answer the requirements of Europe, and satisfy the just aspirations of those races.

THE EARL OF CARNARVON: My noble Friend below me (the Earl of Derby) has expressed so clearly and so ably a very large portion of my own views upon this question, that I am, at all events, dispensed from travelling over the same ground. It is rather for my own comfort and satisfaction that I would wish to make a few remarks on this grave matter. So far as the military preparations of the country are concerned, and even as regards the Reserves, I am not inclined to object to the line Her Majesty's Government have taken. I have always been in favour of a considerable addition to the military and naval armaments of this country, which, in critical times like these, need to be strong; and I may indeed say, in proof of this, that I was long ago in favour of the purchase of two of the iron-clads which Her Majesty's Government have lately bought. My noble Friends on the Treasury bench will bear me out in that. How far indeed the money necessary for an increase of military and naval armaments is now being laid out to the best advantage is another question, and what the object and purpose of the present increase is a different question, which cannot be separated from the course of policy which the Government is adopting, and which needs anxious consideration. With regard to the Circular of the noble Marquess, I admire its ability, and, so far as it is a summary of the criticisms on the Treaty, I agree with a considerable part of it. More than that, I do not concur in all the objections which I have seen raised against it for not putting forward a counter-policy. I see no very serious objection to the reticence of my noble Friend, on one condition—that he has a distinct and sound policy. The criticism which I will make upon the Circular is this—that my noble Friend makes his case too good, that he leaves neither to his opponent nor to himself a road of retreat, that he does not specify particular portions of the Treaty which may be amended by mutual understanding, but objects to the combined effect of all the parts of the Treaty with so much logical force as to amount to a total revision, perhaps a total rejection, of it. That is the construction put on it in other countries. The question is, how far it is wise that Russia should put such an interpretation on it?—how far is it prudent, as a negotiator, to put Russia herself into this great dilemma, by the publication of a Circular-despatch which has too much the ring of an ultimatum about it? I am no partizan of Russia, nor have I any sympathy with her government or her policy; but I ask your Lordships to consider what the position of Russia at this moment is. During the last two centuries there have been 12 to 13 wars between her and Turkey; and there are, therefore, traditional hatreds, animosities, and bitterness between them—there are a people animated by religious enthusiasm, an Army flushed with success, and an Emperor whose personal honour is bound up with the national credit. Is it likely or reasonable that a great Power, and a successful belligerent, be her cause good or bad, will agree to come to a discussion, if you tell her that you require the whole of this Treaty, on which she prides herself, to be torn up? Should we, under similar circumstances, listen to such an invitation? At the time when the German Armies marched into Paris, would they for a moment have accepted such a proposal? And the cases are not so entirely different. Then there is another point. If we go into the Conference—and the speech of my noble and learned Friend on the Woolsack appears to hold out some slight encouragement—if we go into the Conference with that despatch we go there with our hand upon our sword. Is that a wise or prudent course? On the other hand, if we do not go into the Conference then that despatch remains the last word spoken, and an angry word. This is the position at home, whilst abroad we have, as I have more than once said, our Fleet in the Turkish waters and the Russian Army near at hand, both straining in the leash, both ready to come into collision—a hazardous condition of affairs. There is one further point with regard to the Conference which I wish to put before the House, as it seems to me that a great deal turns upon it and that a great deal of misconstruction has arisen out of it. There seems to be a confusion in the popular mind as to what the real power of a Conference is. People constantly speak as if a Conference were a kind of court or judicial tribunal, whereas the fact is that a Conference is an entirely free meeting. It has no power of compulsion and no judicial authority whatever is vested in it. Its whole value is a moral one; its weight arises from the circumstance that the opinions of the different Powers collected together are expressed there. It is, I apprehend, a reluctance on the part of Russia to accept any decision of a Conference as judicially binding upon her that has led on her side to the present difficulty; on the other hand, inasmuch as the Conference has no power of enforcing its views, and as we must rely upon the moral weight of European opinion, it seems for the interest of both parties not to allow a matter of form and procedure to stand in the way. But, after all, these questions are but preliminaries, and there is a much larger question which this Message has to-night raised. Are we really at this moment on the threshold of hostilities or not? That is the main question which must force itself on everyone's mind. Such a question is very much influenced by what the feeling in the country is; and much allusion has been made to that feeling to-night. I am quite aware that there is in the country a certain party who are disposed to rush into war. They are the persons who go into war with light hearts and come out with heavy burdens—with them it is useless and unnecessary to reason. There is, however, a much larger class in this country who, I apprehend, are doubtful and perplexed in mind at the present state of affairs, but who are perfectly ready to go to war if either the honour or the interests of the country require it. They have a suspicion that Russia has been playing us false, that England is being placed in a discreditable position, and that the interests of this country are being seriously jeopardized. I would urge them to inquire calmly before they affirm any one of these propositions. As regards Russia, I am bound to say I do not think Russian diplomacy is by any means so skilful as it is sometimes said to be. The recent despatch with regard to Roumania is sufficient evidence on that point. As regards discrediting this country, I think my noble Friend near me has sufficiently answered that statement. Our alliance is courted, and the unquestioned readiness of the country to go to war is ample proof that there is little discredit attaching to our position; whilst, as regards English interests, I wish those who talk so loudly about them would try to descend from generalities and discriminate between those interests which are really British and those which are merely secondary. If we go to war, what conceivable advantage are we to gain by it? Assuming an unbroken chain of successes, assuming that the crowning success—that Constantinople falls into our hands, what are we do with it? If we were to keep it, it would be necessary to create a machinery for the purpose, and this country would have to submit to sacrifices greater than any which have as yet been dreamt of. If we hand Constantinople over to someone else, we should fall back at once on the Conference, and by the nature of the case be compelled to act in concert with Russia, the very Power with which we shall have been engaged. The real difficulty of the case meets us at every turn. We have to deal with a Government which is absolutely dead, and which has no power of being revivified, side by side with younger, living, and more active communities. Here is a difficulty which will always recur, although you may put it off for the moment. In attempting to overcome it you are fighting against history, the course of which, though you may possibly delay, and which, I believe, you may guide, you cannot turn back any more than you can turn back the rivers to their sources. There is one other point to be observed. If this country should, unhappily, be engaged in hostilities, how different are the circumstances from those that existed when we entered into war some 25 years ago. Look at the altered position of Europe. Then, for months before the Crimean War broke out, we had the whole machinery of collective notes and diplomatic pressure applied, not to Turkey, but to Russia. Now, on the contrary, the whole opinion and the diplomatic pressure of Europe have been exercised, not upon Russia, but upon Turkey. The public opinion of Europe is exactly in the opposite direction from what it then was. Then we had France and Sardinia as Allies, whereas now we neither have an Ally, nor are likely to have one. Lastly, it is impossible to blind ourselves to the serious fact that this country is not now unanimous in favour of war as it was 25 years ago, but that we should now go to war with opinions and feelings broadly divided. I can conceive no greater evil and no greater risk to the country than such a state of things. But, possibly, my Lords, you may say that Russia may be humiliated, and that so far the political and military credit of this country may, by a successful war, be greatly raised. But it is a most dangerous policy in public just as much as it is in private, to seek the humiliation of your opponents. I do not make these criticisms because I am afraid of the material results of war. I am satisfied that the resources of this country are very great, and I should not be afraid in another cause and for other reasons of incurring much greater risk than these. At the same time, I look with undisguised dismay to the idea of any action which shall tend to perpetuate and crystallize all those evil traditional animosities which there was reason to hope were dying out, but which are unquestionably the result and legacy of the last war between this country and Russia. It required two generations to eradicate the jealousies and hatreds engendered by the old French War, and France was then as Russia is now, an object of excessive and irrational animosity. Nor do I desire to pass any censure on Her Majesty's Government. I trust they will not abandon an observance of peace. At the same time, I feel bound to say—and this is my last word — that the ground they are treading on seems to me to be very hollow ground, and that the expedients they are adopting are expedients, to say the least of them, that are very hazardous. My Lords, they have taken upon themselves a great responsibility, but it is one which Parliament must accord to the executive Government under such circumstances as the present. It is as heavy a burden of responsibility as can well be laid upon the shoulders of any men—responsibility to the country, responsibility to the Sovereign, and responsibility to the yet higher tribunal of conscience.

LORD HOUGHTON said, he differed considerably from his noble Friends with whom he usually acted—he could not for the life of him conceive why the tone of the debate should have been so entirely warlike. For his part, the attitude which his sense of duty compelled him to take up was one of respect for Treaties—which, as he had said on a previous occasion, were the title deeds of nations. From the first he had maintained that we were bound to follow the lines of the Treaties of 1856 and 1871 until we were released from them; and he was glad to find that this line of policy had been adopted by Her Majesty's Government, as the speech of the noble Earl opposite (the Earl of Beaconsfield) showed, and that it had not been disputed by a single speaker in the course of the debate, with the exception of his noble and learned Friend below him (Lord Selborne). In following out the lines of those Treaties, he believed they were acting in the simplest and most appropriate manner. We defied no one; we attacked no one; we placed ourselves in the attitude of men who thought that a great wrong had been done, and who were ready to remedy it if called upon to do so by the other signatories to the Treaties. He entirely dissented from those who thought that this country had no Allies; and the reason he did so, was that her attitude was based, not on purely national but on large European interests. Austria, for instance, had still greater interests involved in the Eastern Question than we. He also dissented from the argument of the noble and learned Lord below him (Lord Selborne), that the terms of peace laid down last year were substantially the same as those of the Treaty of San Stefano. In the one case, Russia proposed to submit her conditions to the decisions of a European Conference; in the other, she refused. Looking at the map of Russian conquest in Turkey, who could deny that the European settlement effected by the Crimean War was completely overturned? Who could doubt that the new Province of Bulgaria would pass completely under Russian control, and that, by-and-by, the Russian power would be openly proclaimed from the Black Sea to the Ægean? Some people asked, Why should we go to war? Well, he trusted we should not go to war at all, and he saw nothing whatever in this present act of Her Majesty's Government indicating any intention or desire on their part to go to war. But if we did go to war, we should do so not for any single English interest—we should not go to war for any selfish purpose, but with the object of assisting as far as we could the other European Powers to place those nationalities which had been separated from Turkey under the united influence and power of Europe, instead of the exclusive power of Russia. With regard to the action of Her Majesty's Government, he felt bound to say that, in his opinion, their rigid adherence to the principle of neutrality was one of the great causes of the unfortunate position in which we found ourselves placed. If they had occupied the Straits at the time when Russia crossed the Danube, she would, he believed, have been able to exercise a powerful influence in dictating the terms of peace between Russia and Turkey. In thanking Her Majesty, however, as their Lordships had been called upon to do that evening, an opportunity had been afforded them of at once setting their country right in the face of Europe, and showing that, although in some quarters, her neutrality might have been construed to mean cowardice, she never hesitated when the question was put fairly before her to follow the course of truth and justice. If our Government were to enter a Congress, he hoped they would do so with some hope of a pacific solution of the difficulties with which they would have to deal; but, at the present moment, he did not think a Congress was likely to be attended with any satisfactory results. He would, therefore, rather say with Prince Bismarck, *Beati possidentes;* never, however, for a moment, giving the sanction of England to a hold over the Provinces of Turkey, which she considered to have been unjustly acquired. Let Russia keep those Provinces by force if she would, but let us tell her that there was a point beyond which she must not go—leaving her with her unjust gains to the execration of Europe.

THE DUKE OF ARGYLL said, that no one could have listened to the debate without feeling that the dread issue of peace and war was trembling in the balance. The noble Earl at the head of the Government has advised a warlike measure, and he has introduced it in a corresponding tone. In almost every speech, indeed, which had been delivered by any Member of the Government, the desire to maintain peace was professed; but from the noble Earl at the head of the Government not only was there no profession of that kind, but that, in discussing the substance of the Treaty of San Stefano, there was a distinct appeal to passion and prejudice. The danger was not diminished when their Lordships heard the reasons—half divulged, half concealed—assigned by the noble Earl the late Secretary of State for Foreign Affairs for resigning the Office he lately held. He did not do so, it appeared, merely because of the calling out of the Army and Militia Reserves, but upon grounds which he did not at present think it right to reveal. The House was, therefore, officially or semi-officially informed that it had not the whole case before it, and that the country was deliberately being led, step by step, to a conclusion the nature of which was concealed from Parliament, and which even those—the Ministers who had lately felt it their duty to leave the Cabinet—are not fully in possession of. Now, there was one remarkable feature in the speech of the noble Earl to which he must refer at once, as in the highest degree significant of the spirit and the intention of the Government. He had said that the noble Earl the Prime Minister referred to the Treaty of San Stefano in language which was nothing else than an appeal to passion and prejudice. For what were the terms in which he described it? First of all, be it observed, that the Circular of the noble Marquess the Secretary of State, in so far as it dealt with the Treaty of San Stefano, dealt with it for a specific purpose—namely, as an argument that it should be submitted to a Congress. But the noble Earl at the head of the Government dealt with it apparently with a different view. What was his language? The Treaty of Europe, he said, abrogates Turkey in Europe. Another expression was, that "it established the vassalage of Turkey." Were they, then, to understand that we were to go to war for the purpose of maintaining the independence of Turkey in Europe? Was that the real case of emergency in the present position of affairs? Now the appreciation of emergency depended very much on the state of mind of the person who had to consider the question. If their Lordships were to come to the consideration of it in the state of mind represented by the language of Mr. Layard, or of others who believed that the independence of Turkey was necessary to English interests and to the maintenance of the Empire, then he could understand that a case of emergency might be made good. If such as he had indicated was the object which the Government had in view, the position of affairs was, indeed, one of the most pressing emergency, and it would be necessary to call out not only the Reserves of the Army and Militia, but to embody the Militia at once, and to give a commission to the illustrious Duke at the head of the Army to prepare at least a force of 200,000 men. If the maintenance of the independence of Turkey was the object of the Government, that object he believed to be unattainable—and he rejoiced that such was the case. His own feeling was that the Sovereign of this country and the Empire of India could live and flourish without the Grand Turk. There were many, however, who identified themselves with the opposite sentiment, and he confessed he had felt humiliated when the other night he heard a murmur of relief and delight at the announcement that the Turkish Fleet had not been handed over to Russia. Now, his own belief was that if those six old iron-clads had been delivered to Russia, Admiral Hornby would be able to give a very good account of them, and he felt no particular delight at the fact that Russia had not got that little Fleet to waste future years in idleness. The House might depend upon it that Russia would not waste in future as much time as she had done since 1871 in building a Fleet in the Black Sea. She will in a short time put as powerful a Naval Force there as Turkey now had. No English interest would suffer if the Turkish Empire in Europe was brought to a final end, and that opinion was deliberately expressed by the Duke of Wellington in the height of his power, for he said it was a pity that in 1829 the Russians had not taken Constantinople. He regretted that the noble Earl the Prime Minister had used the language he had used in regard to the Treaty of San Stefano. He began his detailed criticism of the Treaty by saying that "every material stipulation is a departure from the Treaty of 1856." Now he (the Duke of Argyll) must confess that he did not, on reading the

Circular of the present Foreign Secretary, attach the grave meaning to it that had been assigned to it in the Press and on the Continent; for he remembered that its author represented England at the Constantinople Conferences, the proposals of which were in principle quite as much a departure from the Treaty of 1856 as were the Articles of the San Stefano Treaty. Those proposals included a foreign occupation of Bulgaria, and, when Belgian soldiers could not be had, the noble Marquess proposed that England should occupy it. Was Russia to be satisfied after the war with terms less severe than those proposed before it? The difference was, those terms were proposed by Europe and these by Russia—a difference which no one regretted more than he did. But whose fault was that? We refused to help her in pressing reforms on the Porte, and could we be surprised at the inevitable consequence of our own act and folly? On the 30th of December, General Ignatieff proposed that the Powers should sign a common Note of the terms they agreed to impose on the Porte; but, when the noble Marquess telegraphed for leave to sign it, the Government refused to commit themselves by granting such permission. That was the conduct which had thrown the whole question of Eastern Europe into the hands of Russia. It was their own faint-heartedness that had done it all, and it was too late to threaten war with Russia to maintain those Treaties intact. He agreed with noble Lords opposite that the exclusive protection by Russia of the Christian subjects of the Porte was open to the gravest and most serious objection; but this was among those very conditions which diplomacy would be sure to reach in a Conference with the Powers. With regard to the technical point on which the Conference had been broken up, he thought the Government had been perfectly right to demand that the whole of the Treaty should be placed before the Congress; but when they asked if she accepted discussion on every part of the Treaty, they really asked her to say that there was no part of the Treaty on which she was not open to negotiation. They had no right to ask Russia to make that declaration. He could not but express great surprise that the Government had not accepted the proposal of Germany of a preliminary Conference to consider what parts of the Treaty should be discussed. His own belief was that a good understanding would have arisen from such a discussion. With regard to the warlike measures, of which they had heard to-night, he must congratulate his noble Friend the noble Marquess on his new discovery that England could do something in bombarding Stamboul. When he (the Duke of Argyll) urged on the Government the duty of insisting that Turkey should adopt the reforms proposed at the Conference, the noble Marquess asked—"What would you have us do? We have only got a Fleet—did the noble Duke propose that we should bombard Stamboul?" Well, the noble Marquess now proposed to bombard Stamboul; but if Government had acted vigorously against Turkey, when she was admitted to be the delinquent of Europe, the position of the Fleet in the waterways of Constantinople would have been an effectual estoppel of the war—Turkey would not have got her Egyptian contingent nor her Asiatic levy, and they would have gained all the objects they proposed at Constantinople, which were sacrificed by their faint-heartedness. He need not repeat the arguments which the noble Earl the late Foreign Secretary had used to-night as to the military difficulty in which they were now placed. They were taking warlike measures when the enemy was not in the gate, but in the fortress. He listened some weeks ago with great interest to the graceful courtesies which passed between his noble Friend the late Secretary for the Colonies (the Earl of Carnarvon) and the head of the Government. He heard his noble Friend explain the language which he had used to a now celebrated deputation when he said that a repetition of the Crimean War would have been little less than insanity. His noble Friend went on to say that, though he did not apply that language to the Crimean War when it did break out, yet he was bound to say, looking to the present condition of Europe, he failed to see what effect the Treaties that followed it had had. That reminded him of an officer who had been told off to defend some strong place, and who, in consultation with his comrades, came to the conclusion that it was better to evacuate the place than to fight. When they were descending the hill, every foot of which ought to have been a field of battle, he looked back upon the sky line and saw the columns of the enemy filing into the place. Then, like Nelson in one respect, but unlike him in another, he lifted up his glass to his blind eye, and said he failed to see why the engineers erected that strong place at all. But those who made the Treaty of 1856 thought that their strong place would be held by a garrison who would have defended it against any odds. He turned now for a moment to the other Articles of the Treaty of San Stefano, and would refer to the two cessions of territory mentioned in it. With regard to the cession of Bessarabia, he was bound to say that it was an eminently shabby thing to be proposed by the Russian Government. At a moment when the Russian Army was discouraged, repulsed, and almost defeated by the gallant Osman Pasha, the Roumanian Army was undoubtedly a most effective contingent, and the success of the Russian arms at the time was mainly due to the assistance of Roumania. It was a bad return to brave comrades-in-arms to demand from them territory which had been in their possession for many years, and which had been accustomed to some sort of Constitutional government. He hoped that second thoughts, and the magnanimity and good feeling of the Emperor of Russia would induce him to forego that demand. He understood the personal feeling which had led to the demand. No doubt, in that terrible Crimean War, which brought the proudest head in Europe with sorrow to the grave, the Russian people had to yield up what they now claimed, and they wished to vindicate the memory of their Czar. But, though such feelings were natural, there were other considerations which ought to weigh with them, and this was precisely a matter with respect to which in a Congress Russia was not likely to prevail. But, with regard to Armenia, he was bound to say frankly that, considering the immense sacrifices which Russia had made, the small cession of Armenia which she demanded was much less than she might have been expected to ask for. He denied that any European or English interest was concerned in that cession. His noble Friend based his objection to the Treaty of San Stefano upon what was done in 1871. But the case, which actually arose in 1871, was that Russia, without war, chose to declare that she was no longer bound by the Treaty of 1856. The Declaration of 1871 had no reference to a case like the present. People never said that they desired war. What they desired was that some other Power should give them something which they knew would never be yielded without war. If it were their determination to tear up the Treaty of San Stefano altogether, and to denounce it in the unmeasured language which had been used to night by the noble Earl at the head of the Government, that would be equivalent to telling Russia that, after her immense sacrifice of blood and treasure, we considered every part of the Treaty to be objectionable. Then, he said we would be obliged to go to war, and we would go to war under circumstances of every conceivable difficulty. We would have no Ally in Europe; and one of the immediate results of our conduct would be that the Russians would take possession of Constantinople. Before sitting down, he wished to say that the result of every consideration he could give to this question was that no settlement could be hoped which rested upon maintaining in any degree the independence of the Ottoman Porte. The sooner the Porte was dead and buried, as a European Power, the better. He was not talking of the individual Turk. Well, there was a great difference between the government of the Pashas and the Mahomedan population. He would not deprive any Mahomedan of a single acre he possessed; but, on the contrary, he would protect him from one of the worst governments that ever existed. If we entered into a war with Russia for any of the reasons adduced to-night, and above all, if we entered into a war out of mere spite and hatred, for the purpose of destroying her influence, all he could say was—"The blood be on your heads, not on ours."

THE MARQUESS OF SALISBURY: The noble Duke who has just sat down has, of late, delighted to apply the powers of his distinguished eloquence to the interpretation of Treaties, and I cannot help regretting that he does not collect some of those interpretations into a book —for such a gem of International Law assuredly does not exist. The other night he made a speech, the resources and eloquence of which I could not help admiring through all the fallacies by which it was distinguished, in which the thesis he sustained was, that whereas in the Treaty of 1856 Russia had promised to respect the independence and integrity of the Porte, the only party which had broken the Treaty of 1856 was the unfortunate Porte itself. To-night, the noble Duke, after telling us that the Treaty of 1856 was intended to be worked by other men, and that those who prepared it—that is to say, I suppose, Lord Palmerston—would have insisted upon going to war for the purpose of coercing the Turk—a piece of posthumous criticism which, on Lord Palmerston's behalf, I venture to repudiate. The noble Duke now applies himself to the interpretation of the Treaty in the framing of which he had a distinguished share—namely, the Treaty of 1871. In that Treaty the Powers of Europe declare that no one Power has the right to depart from existing Treaties without the leave of the other contracting Powers. One would imagine that Russia had done something of that kind in the Treaty of San Stefano. But it appears that we were entirely wrong. It appears that the only thing the Government of 1871 objected to was one Power doing it pacifically. If a Power went to war and would only violate the homes and properties of the persons with whom it quarrelled, then it was at liberty to violate as many Treaties as it pleased. After that interpretation, coming from so authoritative a source, I am somewhat surprised at the tones of self-gratulation with which the noble Earl opposite (Earl Granville) referred to that achievement of his diplomatic skill. My Lords, the noble Duke is a man of vivid imagination, and the pictures which his imagination produces fix themselves indelibly on his mind. Unfortunately, a year and a-half ago, he was induced to devote his attention to the question of the Turk, and the Turk has become for him what the Jesuit is to some other persons we have known. He sees the Turk in every question. The fate of the Turk is the test to him of whether any policy is right or wrong. The poor Turk is in a bad way. I had hoped, if only from regard for the splendid valour he had shown, and from compassion for his misfortunes, which, whether deserved or not, have undoubtedly been marvellously intense, the Turk, with his merits and demerits, might have been banished from our debates—at least, for a time; certainly, they can have very little influence in the issues which we have now to try. But as the noble Duke has thought fit to refer to him, and has gone at some length into a criticism of the Conference at Constantinople, I must, in my own defence, say a word or two on that subject. I assure the noble Duke that the sentiments at the Conference—and I take the liberty of observing that my sentiments at the Conference represented the sentiments of Her Majesty's Government—and my sentiments now are as strong as any by which I have ever been actuated, and I entirely refuse to acknowledge that in anything to which I have given my consent, or to which I have ever been a party, in regard to the Eastern Question, there is the slightest departure from the sentiments which I have always expressed. But though I desired, and desired intensely, as my Colleagues did, the welfare of the subject Christian populations of the Porte, I was never prepared to allow this proposition—which has passed into an axiom on the other side—that there could be no happiness and no good government for any of those populations unless they were subject to the government of Russia. That is a doctrine which may be urged for or against—I do not propose to enter into it—but I decline to admit, that though we demur to the unlimited extension of Russian influence over populations which are not by religion or race related to Russia, we are, therefore, indifferent to their welfare. Now, as to the Conference at Constantinople. The noble Duke lends the weight of his authority to a suggestion which I have seen elsewhere—that this huge Bulgaria, which is the great blot of the Treaty of San Stefano, derives some authority from the Conference at Constantinople. Well, the Conference of Constantinople agreed, in the first place, to impose nothing upon the Porte. It proposed certain things for the acceptance of the Porte; but it differed from the Treaty of San Stefano in this—that whatever was done was to be done exclusively by the consent of all the signatory Powers. Further than this, the Conference at Constantinople constructed, not one Bulgaria, but two Provinces of Bulgaria. In one of those

Provinces the Slav element would have preponderated; in the other the Slav element would have been in a minority; and the mass of the Greek population, as well as the shores of the Euxine and the Ægean, would have been in the hands of that Province in which the Slav element did not preponderate. Again, the Conference took abundant security for the local self-government and the good government of the different populations, but it did not destroy the political or military authority of the Porte—the governors of these Provinces, subject to certain conditions, were still to have been appointed by the Porte, so that those Provinces would still have remained a barrier to invasion from without. Now, all these provisions which were proposed at the Conference at Constantinople, were as far removed as possible from the provisions for this large Bulgaria which form such a serious item in the Treaty of San Stefano. My Lords, the Conference at Constantinople passed away. The Turk, by his extraordinary folly, neglected the chance of safety which the English Government held out to him. Well, my Lords, I will not follow the noble Duke into his reflections upon the way in which England, as he says, might have prevented the late war. He imagines the case of the English Fleet preventing the passage of Turkish troops from the Asiatic to the European side of the Bosphorus, while the Russians march on Constantinople. Well, has the noble Duke's imagination ever carried him further, and enabled him to see what the Russians would have done when they got there? It would have been no worse then than now, no doubt, except to this extent, that we should then have had Russia fresh, instead of Russia weary. In any case, it would have been an enterprize into which England, a party to the Treaty of Paris, could not have entered safely. Besides, at the time to which the noble Duke refers, it is doubtful whether it could have secured the support of one-tenth of the Members of either House of Parliament. Well, the Conference passed away, and at the commencement of the war we thought it necessary to define the conditions of our neutrality, and to lay down certain points by which that neutrality would be compromised if passed. The noble Duke, and several other speakers, seem to hold that those conditions constituted the only things that we were to care about in the whole of South-Eastern Europe and in Western Asia. When the war passed, our neutrality ceased. Neutrality is a state of things which never exists except in war: When neutrality ceased, the conditions on which it had been founded passed away as well. When we agreed upon the conditions of our neutrality, we were not contemplating any such instrument as the Treaty of San Stefano. At that time we had, unexplained and undiminished, an assurance from a high and authoritative quarter that no territorial annexation was intended. When, later, in July, that assurance was qualified by the insertion of Bessarabia and Batoum, we were then assured that all the conditions of peace would be settled in a Conference. It was not necessary for us then to go forward and to determine what we should do when that Conference met. It was enough for us that the Conference was admitted, that these pledges had been given, and that we had adhered to a most loyal and honest performance of the neutrality which we had promised to observe. But we reserved to ourselves the right of having a voice in the final settlement of affairs. The noble Duke has dwelt a good deal upon this—that it is impossible for us to ask Russia to abandon all the results of the war. No such demand has been advanced on our side. What we have said is this—that all the conditions of the peace form a united and connected whole, that we would not consider any unless we were to consider and discuss all of them, and that the withdrawing any one Article from discussion would be to distort the discussion on the whole of the Treaty put together. I will not dwell on the sort of semi-vindication by my noble and learned Friend opposite (Lord Selborne) with respect to the demand made by Russia on Roumania. I can only say that the truth of the statement is guaranteed by the Roumanian agent, and that we have no official knowledge, of its being denied by the Russian Chancellor. If we had such knowledge it would be our unpleasant duty to determine each in his own mind to whom the most credit was due—the Russian Chancellor, or the Roumanian agent. I am very much pleased to think that on me, at all events, that duty does not fall. Another most remarkable event this evening was, no doubt, the speech of my noble Friend who preceded me in the Office which I now have the honour to hold (the Earl of Derby). It was the most remarkable speech I ever heard in either House of Parliament, for I never before heard one who was a Cabinet Minister speak so freely of that which passed in the Cabinet. I listened to the speech of my noble Friend with ever-increasing astonishment. I would, however, represent to him, that statements of matters which have passed in Cabinets involve the opinions of others, and must be exceedingly unsatisfactory to those who are without, because no record is made of that which is said in Cabinets. My noble Friend's recollection seems to be very active. I have no right to assume that his memory is worse than mine, nor have I any right to ask anybody to believe him rather than me. I only cite the difference of opinion between us for the purpose of relying on the Constitutional practice that such matters should not be mentioned in public. My Lords, my noble Friend pointed out several measures of the Government to which in the public eye he was an assenting party. He did not, he said, in reality assent to all; one was a compromise, while to another, he was persuaded by some observations which fell from the Chancellor of the Exchequer, which appeared to be founded on a mistake. Now, my Lords, am I not defending a great Constitutional principle, when I say that, for all that passes in a Cabinet, each Member of it who does not resign is absolutely and irretrievably responsible, and that he has no right afterwards to say that he agreed in one case to a compromise, while in another he was persuaded by one of his Colleagues. Consider the inconvenience which will arise if such a great Constitutional law is not respected. Supposing all the Members of Cabinets were to rip up the history of their proceedings, and to ask who was responsible for this inaction or that neglect—a question which it might be impossible to answer—what, I should like to know, would be the result? It is, I maintain, only on the principle that absolute responsibility is undertaken by every Member of a Cabinet who, after a decision is arrived at, remains a Member of it, that the joint responsibility of Ministers to Parliament can be upheld, and one of the most essential conditions of Parliamentary responsibility established. I make these observations because my noble Friend placed an interpretation on the Circular which, if it is thought to be a portion of his revelations as a Member of the Cabinet, may do considerable harm. I am bound to protest against such a misrepresentation, and to tell the House the real state of the case. My noble Friend suggested that the arguments employed in the Circular were intended by us at one time to be instructions to our Representative at the Conference. It would be wholly unfit—it would give rise to most serious misapprehension, and would be entirely inconsistent with the position taken up, if we were to admit that particular account of the origin of those arguments to be true. Of course, my noble Friend is as much entitled to affix to them any character he pleases as any other Member of your Lordships' House who speaks entirely outside the Cabinet. But, I am forced to point out that, in the present instance, my noble Friend could not reveal anything which passed within it on this point, because he knew nothing whatever about it. The instructions were not given to me to prepare the Circular till after my noble Friend had left the Cabinet. What, therefore, its intention was, he could only judge, and I am bound to say that the particular interpretation which he attaches to it has no validity whatsoever. My noble Friend spoke of the Circular as "tearing up the Treaty of San Stefano;" and I think my noble Friend the late Colonial Secretary, whose speech was conceived in a very kindly spirit towards the Government, and of whose criticisms I have not the slightest right to complain, appeared to read it in the same sense. I have to thank one of my opponents for a much truer reading. The noble Duke who spoke last (the Duke of Argyll) argued that the one purpose of the Circular was to show that the Treaty must be considered as a whole, and that no part of it could be considered by itself; and the speech of my noble Friend behind me (the Earl of Carnarvon) sustained the same thesis; and the notion of tearing up the Treaty has as little foundation in his case as in my own. This misconception with respect to the Treaty has pervaded the debate. Another misconception has done so equally, and it is that there is anything warlike in the step we are taking. The noble Lord who spoke last but one (Lord Houghton) seemed to have a clear and sound view upon the subject; but I am afraid it will afflict him to know that anyone agrees with him. Our position is not a warlike position; we are simply taking measures of precaution. Are you prepared to say that you will never take them unless you are resolved on war, or contemplate the certainty of war? No one in this House would maintain so impossible a position. But what must strike the most favourable critic of Russian proceedings is that, during the last few weeks, we have drifted away considerably from Treaty landmarks. What is it that saves all the nations in Europe from the duty of maintaining their military preparations at the highest point of efficiency and from the necessity of being always in a condition of absolute precaution? What is it but the existence of International Law and respect for Treaty rights? When they are disregarded—when International Law loses its force—you revert to an older and a simpler condition of society—the condition where each man depends for his safety upon his own strong right arm. It would be an exaggeration to state that, even in respect of South-East Europe, we have arrived at that condition; but, in proportion as the guarantees of Treaties have been withdrawn, it has been our duty, and it will continue to be the duty of the Government, to take all necessary precautions. These precautions do not involve any settled design of war, still less any menace to any Power in the world. My noble Friend the late Secretary of State for Foreign Affairs used language implying a doubt whether any of the objects called in question by the Treaty of San Stefano would be worth the risk of a war. It is difficult to imagine, on abstract principles, what is worth a war. You must consider the state of public feeling; you must consider the proceedings of which the individual act you complain of forms a part; you must have regard to the character of the Power by whom the act is done; you must have regard to the character of the nations among whom the act is done. At all events, my noble Friend has furnished me with a standard by which I can judge. I remember to have heard him say in this House that we had declared that the occupation of Constantinople would be a *casus belli*. I do not know precisely under what conditions my noble Friend consented to that view; but, having been that of the Cabinet, it must be taken to be his view, and I will ask any sensible man whether the possession of Constantinople is more threatening to English interests than the possession of the Ægean Sea? Everyone must be aware of the extraordinary difficulty under which a person in my position must speak under a crisis such as this. I hope I have avoided any language which could be construed into the language of menace. I hope I have also avoided gratifying the curiosity of noble Lords opposite as to what it is we intend to do. I feel at the present moment I need only rely upon that word "precaution;" being quite sure that if ever the time should come which should turn precaution into more active measures, the spirit of Englishmen will supply what is wanting and will dissipate all petty cavils into the air. My noble Friend the late Colonial Secretary spoke of a friend who regarded Russia with as much abhorrence as if she were about to take away his books and pictures. I venture to hope that there are things more important in the world than the loss of books and pictures. I venture to hope that the people of this country, in spite of their views of material prosperity, still recognize national sentiments leading to exertions and to self-sacrifices for the sake of which, if the need should arise, they must renounce for the moment the enjoyment of that prosperity itself. How far off that occasion may be it is not for me to say. I earnestly hope—nay, I may say, I have ground for hoping—it is not within the ken of the present generation; but if it be not, depend upon it it will not be because Englishmen are not stiff and determined in the assertion of their legitimate rights and the maintenance of their ancestral honour. Englishmen are moderate, careful to avoid unnecessary offence, slow to come to a dangerous and violent conclusion, and tenacious and resolute when the conclusion has once been arrived at; and such qualities and spirit I hope you will find in the Government of this country, whoever it may be that sit on this bench, We have, undoubtedly, inherited great duties. We are bound to foster the aspirations of the rising races of the South-East of Europe; we are bound to consolidate their nationalities; and in their patriotism, in their love of their own traditional history and past glories, to find a security for future stability and peace. But we have more important interests than all these. We are trustees for the British Empire. We have received that trust with all its strength, all its glory, all its traditions; and the one thing we have to care for is that we pass them untarnished to our successors.

THE EARL OF KIMBERLEY said, he had listened with great satisfaction to the latter part of the speech of the noble Marquess. He was not by any means a member of the Peace-at-any-price Party, but he was glad to hear the noble Marquess's disclaimer—that his despatch was in effect the "tearing to pieces" the San Stefano Treaty. At the same time, he thought the Government had shown great inconsistency in their conduct with reference to the Eastern Question. They appeared to think that the British Empire was in danger from the preponderance of Russia. The noble Marquess said the noble Duke (the Duke of Argyll) was alarmed at the bugbear of Turkey; but the Government were alarmed at the bugbear of Russia. They might have gone to war for Turkey—that would have been an intelligible policy. Another, and perhaps the wisest, policy would have been to join Russia in insisting that Turkey should reform her administration—but we did not do so; we proclaimed absolute neutrality, which he thought was a great mistake. Now it seemed that we found it to be our duty to defend Treaty rights, and England alone was to maintain them. But he thought the noble Duke was to a great extent justified—for he did not go with him altogether—in the view which he took of the Treaty of 1871. Russia, no doubt, was not entitled of her own free will to set aside Treaties made with other Powers; but, at the same time, the occurrence of a great war must modify those Treaties. The noble Marquess said that no country in Europe could enjoy happiness if it came under Russian government. Neither his noble Friend nor himself had any desire that those people should come under Russian government; but he did not believe that the granting of autonomy to Bulgaria meant necessarily the extension of Russian government to that Province. If it were not so late, he would refer in proof of that position to the despatches of the noble Marquess, who had stated that there was no instance of any people wishing to come under Russian government. There was the most conspicuous proof of that in the case of Roumania. He would admit the Treaty of San Stefano required modification in some parts; but he regretted that the action of Her Majesty's Government in this matter had been marked by haste and precipitation. There was a real difficulty as to the submission of the whole Treaty to the Congress; but, after all, the divergence was not on the face of it hopeless. The Russians by no means had said that they would withdraw any particular part of the Treaty—they had merely laid it down that they would not pledge themselves to take part in the discussion of any part of the Treaty. He thought this was a matter which might have been settled by a preliminary interview between the Ministers of the different Powers. It would have been an interview "without prejudice," to use a legal phrase. The Ministers would probably have discovered in the course of conversation the points which the Russians were anxious to withdraw from the Congress, and they would have been able to determine whether those points ought to be brought before the Congress. What possible harm could have come of such a preliminary interview? It was a matter of regret that this course was not adopted as an expedient by which the difficulty might have been smoothed away. The late Minister of Foreign Affairs had stated that we were not drifting, but rushing into war, and the noble Earl at the head of the Government had made a speech full of power, eloquence, and fire, and calculated to rouse the passions of the people of this country; but this was a matter which ought to be discussed with calmness and not with passion. The danger was that neither the English nor the Russian people would be actuated by policy, and that they would be driven on by passion. Those who mixed much with men at the present time knew that many persons laid it down as a general proposition that a check must be given to the growing power of Russia. Surely nothing could be more insane than to rush into war for such a purpose as this. No doubt we might be successful—we might do Russia great damage; but Russia could not be reduced from the position of a great Power—she was a great nation, and could not be obliterated. She must always continue to exercise great power and influence. Then, was it not reasonable to endeavour to come to an understanding with her? The war could not be a naval war, and he would ask whether the country had ever gone to war without an Ally? It was extremely inconvenient that they should have at the commencement of the Session declarations of unanimity in the Cabinet, when unanimity to the extent implied did not exist.

THE EARL OF BEACONSFIELD: I never in any way conveyed that the Cabinet was unanimous. The words I used were that our policy had never changed —that it had always been the same— namely, conditional neutrality.

THE EARL OF KIMBERLEY said, no doubt the noble Earl was correct in what he said, but still an erroneous impression was created, and it would have been better under the circumstances had the noble Earl refrained from referring to the matter at all. The noble Marquess had taken on himself the task of rebuking the late Foreign Secretary for his revelation as to the divergences of the Cabinet. He would suggest to the noble Marquess that, on the one hand, if it was inconvenient to make revelations as to the divergences of the Cabinet, it was also extremely inconvenient to have assertions made in the House about the unanimity of the Cabinet. The noble Marquess spoke very slightingly of the word of one of the principal Ministers of Europe.

THE MARQUESS OF SALISBURY: If the noble Earl alludes to Prince Gortchakoff, he had always spoken with the greatest possible respect of Prince Gortchakoff.

THE EARL OF KIMBERLEY said, the noble Marquess had spoken of the divergences of opinion between Prince Gortchakoff and the agent of Roumania. Hypothetical questioning of the assertions said to have been made by the Foreign Minister of one country by the Foreign Minister of another country was not prudent. He was perfectly certain that the noble Marquess did not intend to impute untruthfulness to Prince Gortchakoff in the smallest degree, and he was sure the noble Marquess would be obliged to him for referring to the words he used.

THE MARQUESS OF SALISBURY said, that nothing was further from his intention than to make any attack on Prince Gortchakoff's honour. He should be very foolish to do so, because he had had a very short experience of the noble Lord.

THE EARL OF KIMBERLEY said, with regard to the broad question at issue, he hoped the Government would pause before they involved this country in war, and that they would not embark in war on such a chimerical notion as that a Russian army might march through the Syrian desert to Egypt.

LORD STRATHNAIRN*: My Lords, the speech of my noble Friend (the Earl of Derby) to your Lordships' House on resigning Office has given rise to an almost universal feeling of regret and surprise. Instead of following the usual course adopted on such occasions, of observing silence, or of tendering to Parliament the explanations which he considered due to himself, and which would, at the same time, have safeguarded the State interests, foreign and domestic, concerned in his retirement from Office, the noble Earl, in his speech, of which it is difficult to say whether the indiscretion, the breach of confidence, or the inconsistency are the greatest, has, by publishing and making Cabinet information and affairs which are held by all Governments to be perfectly confidential, the subject of Parliamentary debate, compromised those State interests in the most dangerous and critical phase of the Oriental Question that has ever come under the consideration of a British Government. I should be sorry to impute bad intent to my noble Friend. I believe that the very trying state of affairs, his political failures, and the painful feelings which he describes, of entertaining views which he knew were unpopular among the great body of his Friends, have led his better judgment astray. But let that be as it may, the unfavourable result is the same. The noble Earl has done injustice to his country and to an ancient and good Ally, amongst the numerous classes who are not well informed of the true state of affairs, and assisted Russian policy in essential respects—firstly, by his announcement that England has only one Ally, Austria, and that for the reasons he alleges she is a useless one; secondly, by his declaration that—

> "Those who profess admiration for Turkey, those who lament the fall of the Turkish Empire, are out of Court. You might have kept that Empire alive for a time, but you cannot now restore it."

My noble Friend the Secretary of State for Foreign Affairs would be the last person to wish to do so. "England would not allow it, and all Europe would be against it;" thirdly, that the present crisis of Eastern affairs does not justify the calling out of the Reserves. As regards the first point, that Austria is our only Ally, but that in case of a war she would practically be of no use to England, the noble Earl adduces three reasons in support of this opinion—firstly, that Austria is composed of "two independent nations pulling different ways." To this I beg to reply, that Austria and Hungary cannot be called independent, when in many cases they must depend on one another, and when both are under the same Sovereign; that under the present form of government the revolutionary spirit which formerly arrayed Hungary against Austria, has not re-appeared, has died out. The noble Earl's second reason is "the Austrian Army could not be trusted against the Slavs." Everybody in this country will condemn and regret this unwarrantable assertion of the noble Earl, respecting the Austrian Army; conspicuous as it is in history equally for its loyalty and discipline, called in question by the noble Earl, as for its steadfast bravery. Such an opinion evinces as much bad taste as it does ingratitude, coming from the noble Earl, who, speaking on his authority as late Secretary of State for Foreign Affairs, informs us that, "if we are to seek with success for an Ally on the Continent, Vienna is the quarter to which we must look." Thirdly, as regards the noble Earl's opinion that Austria's financial difficulties stand in the way of her success in the field, the example of Russia having, with as great, if not more embarrassed finances, carried on, at an enormous expense, successful campaigns in different quarters of the globe, with armies of unusual strength and at a great distance from home, is a proof that it is not a valid reason against her carrying on successful military operations. And my noble Friend is not borne out in saying that Austria is our only Ally; for, although France could not give England in case of necessity military aid, English policy has, on the other hand, derived most valuable support from the talented and independent articles in the French Press on the Eastern Question. The English Army never forget the gallant support which they received from their faithful Allies, the French Army, in the Crimea, and they are perfectly aware of the political position of France, which would render it difficult at the present time for her to give England more than moral support. I now come to the noble Earl's declaration that Turkey has fallen, and that her recovery is impossible. This declaration of Turkey's dissolution must be a prediction, as Turkey has not fallen; for the Treaty of San Stefano allows Turkey, with Constantinople, to exist, although so reduced by that Treaty in important territories and influences of every description, and so crushed by indemnities which she cannot possibly pay, that if that Treaty, or any modification of that Treaty, which gives Russia an undue preponderance of power in European Turkey, becomes International Law, Turkey and the Eastern balance of power can only be said to exist, as is shown in Lord Salisbury's admirable Circular to foreign Courts, at Russia's pleasure. But, as the noble Earl has ventured on the hazardous ground of prophecy, and what is still more hazardous, on that of the fall of Turkey, which has been fatal to so many political seers, it is apposite to submit to your Lordships a prophecy of a great authority, no less a one than Voltaire, Peter the Great's intimate friend and biographer. Voltaire, writing so long ago as 1696, says—"The time has now come when Peter the Great will raise himself *sur les ruines de la Turquie;*" but, so far from this prognostication coming to pass, Voltaire had to announce his own failure as a prophet, and he tells us in 1711, 15 years afterwards, that Peter the Great, instead of raising himself on the ruins of Turkey, had, when invading Turkey, been out-manœuvred by a Turkish Army under the Grand Vizier, his communications cut off, and his position commanded by Turkish artillery from surrounding heights. To escape being made prisoner or destroyed with his Army, Peter the Great had to sign a discreditable Treaty, by which he agreed to restore to the Sultan Azoff and Taganrog, strong places which he had taken as bases of maritime operation against Constantinople. Then, again, a great Russian Sovereign, the Emperor Nicholas, predicted to Sir Hamilton Seymour many years ago, that the Sick Man was dying, and that the time had come to divide his inheritance. But, in consistency with the unvarying object of Russian policy to possess Constantinople, the key of the balance of power, His Imperial Majesty stipulated that whatever part of the inheritance, Egypt, &c., England might acquire, Russia must have Constantinople. It is superfluous to observe that, in a strategic and political sense, Constantinople, with the Bosphorus and Dardanelles positions, is of vastly more importance than Egypt or any other position in Turkey. This prophecy remained unfulfilled for nearly 40 years. The Sick Man, instead of dying, was in possession of a formidable iron-clad fleet in 1876, and for the reasons so unanswerably stated in my noble Friend's despatch of the 1st of May, 1876, and which showed that Russia was much more to blame than Turkey, Russia went to war with Turkey. It is of paramount importance to bear in mind those reasons, to which I shall recur again, which were expressed with all the straightforward logic of Lord Palmerston when describing Russian diplomacy. Well, my Lords, Turkey opposed by sea and by land Russia's invasion of Turkey in Europe and in Armenia with such unusual vigour and naval and military resources as showed that the prophecy of the Emperor Nicholas was as fallacious as that of Voltaire in 1696. She had a formidable iron-clad fleet, which gave her the command in the Black and Mediterranean Seas, whilst Russia could not show a ship of war on either, numerous armies, a *corps d'armée*, which was under Osman Pasha, universally acknowledged to be the best general on either side in the war. Turkish officers are inferior, but the high military qualities of Turkish soldiers have won for them the admiration of the military world. At first the Turkish Army achieved great successes both in Asia Minor and in Europe, and the brilliant and devoted defence by Osman Pasha of Plevna against the united Russian and Roumanian Armies' repeated attacks entitled his services and those of his heroic troops to be mentioned in the annals of undying military fame. Osman Pasha's total defeat and surrender, with the collapse of the Turkish Army, show how completely nations can recover from military overthrows—from Pavia, when Francis I. said "he had lost everything but honour," to "Jena" and "Sedan;" when the total defeats of the two greatest military Powers of the world caused the prostration of Prussia and France. And the argument that Turkey could also recover from her military disasters is the stronger, if the Aulic Council of War had not in its infatuation insisted on Osman Pasha not carrying out his plan, founded on the sound strategy of retiring to a strong position near Sofia, and his reserves and supplies, drawing the enemy away from them. The Russian Army might not have been able to leave the Balkans. But, independently of abortive predictions as to Turkey's collapse, of her recovery when her state was generally considered to be hopeless, it is of the utmost importance for a statesmanlike consideration of the stability of the Turkish Empire, on which the safety depends of the interests of the general peace, and of the interests and rights of the then leading Powers of Europe in the East, to pass in brief review circumstances and causes which prove that great injustice has been done to the Government of Turkey, and particularly to her administration of her Christian populations by Russia's policy and diplomacy of double purpose—one legitimate and avowed, to sign Treaties and compose despatches pledging Russia's support of the integrity and independence of Turkey, and, at the same time, pursuing sedulously the illegitimate and unavowed object of her policy, which is proved by English and Foreign Office records, by Blue Books, to foment disaffection amongst the Porte's Christian subjects, and especially her co-religionists, with a view of discrediting and upsetting the Sultan's Government, and of paving the way to obtaining possession of European Turkey with the Black Sea, Bosphorus, and Dardanelles, or gain a preponderance of influence and strength which must ultimately transfer all of these elements of the balance of power from the Sultan to the Emperor of Russia. I was Her Majesty's *Chargé d'Affaires* at Constantinople before the Crimean War during Prince Menschikoff's special mission to the Sultan, when he demanded that the Porte should bind herself by a secret Treaty to cede to Russia Turkish rights which Lord Clarendon said would render the Sultan "a mere vassal of Russia." It was only on my acceding to the Porte's solicitation that I should request the Admiral commanding Her Majesty's Fleet, then at Malta, to make his appearance in Turkish waters that the Turkish Government refused to sign the dangerous Treaty. At the same time, Bulgaria was agitated by an encyclical letter from the Synod of the Greek Church at St. Petersburg to the Clergy of the Bulgarian Christian Churches, calling on them to rise for the sake of their holy religion in favour of the Emperor of Russia. The noble Earl himself stated, in debate in 1876, that the insurrectionary movement of the Christian populations in European Turkey was caused "by domestic intrigue, but still more by foreign intrigue." The Blue Books of 1875-6 show that the Russian Consuls excited the intrigues in Bulgaria, which had such disastrous consequences, and English travellers of well-known names addressed reports of these intrigues to the authorities. Two of these gentlemen travelled with a Russian colonel in uniform, who gave them his name, and boasted of the success of his agitation. It is needless to urge that it is impossible that mutual confidence, the basis of good government, can exist between the Sovereign and the subject when the subject is taught that it is a sin to serve the Mohammedan Sovereign, whom Providence has placed over him, and the Sovereign learns from the subject's disaffection and revolt caused by Russian agency that he has forfeited his subject's loyalty and confidence. No one is more aware than myself of the great defects of Turkish administration, of which corruption is a prominent one, and I abhor the spirit of fanaticism and gross injustice of the laws towards the Christians which disfigured their Statute Book. One of my chief diplomatic duties, like those of all Her Majesty's servants in the East, was to protect the Christian subjects of the Porte from the effects of those laws, and to aid, by my continued representations to my superiors, in their abolition. The great object of Lord Palmerston's Eastern policy was to remove these defects, to civilize Turkish administration, and to erase from the Turkish Statute Book intolerant or fanatical laws which interfered with the civil and religious liberty of the Christians or their welfare. Lord Stratford de Redcliffe's efforts to carry out these wise and humane instructions were attended with as much success as can be expected in a country under Oriental government; he even succeeded in forming a school of honest and enlightened Turkish statesmen under Rechid Pasha, the Grand Vizier; and Her Majesty's Consuls in Turkey were, at his suggestion, allowed by the Porte to make representations, with the consideration due to Turkish susceptibilities, to the local Turkish authorities in cases when the Sultan's concessions to the Christians were not carried out. The Christians of Turkey appreciated and experienced all the advantages of Rechid Pasha's humane and tolerant government. And the archives of the Embassy and Consulates in Turkey show how constantly and successfully these representations were made and gratefully acknowledged by the Christian communities; but the revision of certain stipulations of the Treaty of Paris of 1856 by the Treaty of London of 1871 was followed by the fall of British and the rise of Russian influence on its ruin. The so-called wicked—it would be more charitable to call him insane—Sultan Abdul-Aziz came completely under Russian influence, and in the train of the Russian Embassy appeared Turkish bankruptcy, a repudiated British loan, and the populations of European Turkey in arms against the Sultan. It was in this worst phase of Turkish misrule that the Bulgarian outrages occurred, as well as the important change of the Treaty of 1856, that the misrule of Abdul-Aziz, acting under the influence of the Russian Embassy, had given a bad name to Turkey which was heightened by his misrule, having done away with the good effects of Lord Stratford de Redcliffe's policy, that an English Party spirit under its impassioned leader, with humanity outraged in Bulgaria for its cry, co-operated with Russian diplomacy in attacking the ancient policy of Great Britain in the East; and, with all the eloquence and bitterness of which his powers of oratory were capable, in denouncing and agitating the country against Turkish rule. How entirely, for the time, he succeeded is well known to your Lordships. This unpatriotic alliance weakened the influence of the Government at a moment when, for the good of the country and in the interest of peace, it should have been the strongest, and strengthened the war Party and dangerous Panslavist and secret societies in Russia. The author of this agitation created such a feeling in favour of Russian policy amongst the ill-informed but influential masses, and amongst the higher classes in considerable degree also, that the Eastern policy of England became discredited. I now come to the Conference, and I beg to submit to your Lordships that the Conference in which the Russian Ambassador at Constantinople, who had played so very prominent and interested a part in the subject of their deliberations, sat as a member, and naturally a most influential one, was not suited in any way to judge the Eastern Question—firstly, for the reasons stated so clearly by my noble Friend to-night, on giving his opinion of the attributes of a Conference; and, secondly, because even if it had been of the competency of the Conference, none of its members would have allowed the Porte to adduce proof in extenuation of her misrule, of Russia's complicity in the insurrectionary movement amongst the Christian populations of Turkey. The instructions of my noble Friend of the 30th November, 1876, lay down emphatically that the basis of the deliberations of the Conference was to be the integrity and independence of Turkey, which, I need not say, has always been the basis of English Eastern policy. In this sense it is a disappointment to see that, in the telegraphic despatch from Sir Andrew Buchanan to my noble Friend, he states that the Austrian Minister for Foreign Affairs had informed him that the plan for the Conference was a Russian plan; and, certainly, to say nothing of the withdrawal of the 16 concessions proposed in the first instance to the Porte, the two that remained bore the stamp of General Ignatieff's conception. Both, whether in a legal or equitable point of view, were infractions of the independence of the Sultan. They took out of his hands duties and appointments of his special competency as a Sovereign, and transferred them to foreign authorities. My noble Friend seems to have been aware of this fact, for more than once he states in his instructions that if a better plan could be found he would accept it. I was present in the House when my noble Friend, in answer to a Question, stated that he had given no answer to the Porte; and it cannot be a matter of surprise that the silence with which my noble Friend received the complaint of the Turkish Government must have added to the mortification, caused by the proceedings of the Conference, and inspired them with the conviction that the complaint stated in the Circular to the Powers was unanswerable. This circumstance, and the proceedings of the Conference, engendered an unfavourable feeling in Turkey towards England; and it was this feeling which caused the unpopularity which my noble Friend said necessitated the appearance at Constantinople of Her Majesty's Fleet, for the purpose of protecting British subjects. So much did the Porte feel aggrieved by the Conference proceedings, that they addressed a complaint, in a circular despatch to the signatory Powers, of the treatment to which Turkey had been subjected by them, implying even that the Powers had not treated her with good faith. I need not point out the great disadvantage of Turkey entering the dangerous category of alienated friends. Amongst all the causes which I have submitted, which contributed to make Turkey and her administration unpopular in and out of England, none came near the effects produced by the Bulgarian outrage agitation, which has exercised a dangerous feeling against our Alliance with Turkey, and the support we give her in order that she may protect our all-important interest in the East—that is, our communications with India, our possession of that country, and our rights in the Mediterranean. I will not enlarge upon the dangerous influence which such a feeling may exercise upon the Government of Turkey, who hold the equipoise of power in the East in their hands, which is a necessity for the support of our rights in the East, as well as those of Austria and France, and, I may add, for the interests of Christianity in the East, the effect of which has been to lessen in many and influential quarters the desire to uphold a Government so universally condemned. It is true that a re-action has taken place in favour of England's former policy in the East; but the anti-Turkish Party in this country, although weakened, are equally active in and out of Parliament in incessantly dwelling on and re-asserting the opinions in the pamphlet on Bulgarian outrages that the inherent vices of the Turks disqualify them for government, especially of Christians, and they endeavoured to strengthen these arguments by pointing to the defeat of the Turkish arms, which must be followed by the fall of Turkey as a nation. I have already shown that history proves that military defeats, however serious, and of the greatest military nations, have not prevented their resuming their former position in the world, and I shall now adduce official facts which prove that Russian cruelties were worse than those committed by Bashi-Bazouks, because committed by Russian regular troops and officers, and that greater intolerance has been displayed by Russia towards her own Christian subjects than Turkey was ever guilty of, certainly in latter times, towards her rayahs. The author of the Bulgarian agitation must have been officially aware that Lord Raglan assembled a court of inquiry to investigate the charges that Russian soldiers, acting under command, had committed a crime which made humanity turn pale and chivalry hang its head by assassinating no less than eight English officers lying helpless and wounded on the field at the battle of Inkerman. Then there is of a recent date the general order of the Russian Commander-in-Chief in Central Asia that men, women and children of a Turcoman tribe were to be put to the sword. The Correspondence of Her Majesty's Embassy and Consuls in Asia, presented to Parliament, record the prosecution by the Russian Government of Russian subjects of the United Greek Roman Catholic Church, which I must think have not been equalled in severity by the conduct of the Turkish Government; and there cannot be a better or more practical proof of this than the fact that the late virtuous head of the Roman Catholic Church openly declared that he would prefer that his congregations should be under Turkish than Russian rule. There are equally as official proofs that the Montenegrins, who are the most favoured people of Russia in the East, are not inferior to Bashi-Bazouks in cruelty. This is a clear refutation of the cry that Turkey's misrule has no parallel; but, my Lords, who can deny that many European and Christian Governments present a parallel? In fact, I may say, where is the Government which is not discredited by atrocities or misrule in some portion of their dominion? I could name Christian countries in which travelling is not so secure by any means as in Turkey, where, except in the districts bordering on robber tribes—Kurds, Arabs, &c.—single travellers may journey in security. I have arrived at my noble Friend's observation, that "the present crisis of Eastern Affairs does not justify the calling out of the Reserves," and to his query—"What are you fighting for?" I should have thought that the noble Earl's despatch of the 1st of May, 1876, and Lord Salisbury's late unanswerable Circular would have rendered this inquiry unnecessary; but, as this is not the case, I venture on a few words which will show the emergency of the political situation. The present threatening military position of Russia, with virtual command of Constantinople and of the Bosphorus, endangers the equipoise of power which protects the safety of British, Austrian, and French interests in the East. This circumstance, together with the antecedents of Russian policy up to the present day, I venture to call "an emergency." But it is apposite to observe that England, Austria, and France entertain no apprehensions of the aggrandizing or ambitious policy of the Porte. A long experience has taught them that the Sultan is a trustworthy tenant of his great trust—that is, the territories and waters under Ottoman rule, of vast strategical, naval and military, commercial and political, importance. It is, my Lords, this safe guardianship of this all-important trust, whose integrity and independence is guaranteed by the Christian Powers, which bears the name of the much-used, but ill-understood, name of the equipoise of power. This is not what my noble

Friend says Her Majesty's Government are fighting for, because England is not fighting, is not at war with Russia. England is only taking most justifiable military and naval precaution to protect from impending danger Ottoman territories and waters which she has engaged, with the signatory Powers, to uphold. I have been frequently asked, my Lords, the cause of apprehension of Russian's possession of Constantinople; and the strategical answer is that, if Russia were in possession of Constantinople, she would lose no time in making the Dardanelles stronger than Cronstadt, which one of our best Fleets could not a few years ago approach, much less attack. With plated armour, modern defences, and rifled artillery, efficient land defences are now proved to be able to resist, as a rule, attacks from the sea. She would concentrate a Fleet of iron-clads in the Black Sea, which would remain there in safety, protected by the Dardanelles, till English Fleets—I am speaking of the case of war between England and Russia —have been called away from the Mediterranean to distant seas by the necessities of the service, when she would leave the Dardanelles with a force of iron-clads and transport ships with requisite troops. An iron-clad Fleet without transports, and steaming at the rate of nine knots an hour, would steam from the Dardanelles to the Suez Canal in 70 hours, where hulks would be sunk to block up the canal, a descent made by the troops at a strategical point on the coast, and entrench. I venture to think, my Lords, I have said enough to show the vast importance of the Turkish dominions for the security of the rights and interests of England, Austria, and France, whose policy in the East is as legitimate as it is avowed and honest. Their rights and interests are, it is clear, not the same, as they are geographically different in some respects; but they are perfectly identical as regards their common object—the balance of power—which is the Turkish equipoise for the protection of their different rights and interest. Under all the circumstances that are stated in my speech, it is impossible that I can agree in any way with my noble Friend, either as to England's giving up Turkey or the irreconcilable fall of Turkey. I cannot sufficiently express my astonishment that my noble Friend should have made so extraordinary a statement, which is in contradiction with all the opinions which he, all the Governments, all the eminent statesmen who have filled the Office of Secretary of State for Foreign Affairs, have hitherto held as incontrovertible, and almost everybody who is animated with patriotism and the desire that England should not lapse from being a leading nation of the world into a second or third-rate Power. The most statesmanlike Circular of Her Majesty's Secretary of State for Foreign Affairs, supported by a united Cabinet which asserts the rights of Treaties with a vigour and a thorough knowledge of the value of the English and European rights which they protect—induces the conviction that the Treaty of San Stefano will be replaced by a Treaty which will maintain the peace of the world, and protect the liberties, independence, and rights of the nations of the European family. These convictions are strengthened by the policy of the present Government, which can alone avert that general conflagration, that chaos, that war, and disunion among the nations of the world which the wisest politicians and statesmen have always foreseen would ensue from the fall of Turkey and the partition or spoliation of its coveted inheritance; and that amongst these calamities they have always apprehended that the Christians scattered and helpless over this vast range of Ottoman rule would be the first victims of Islamism in arms for the defence of her faith and her rule.

LORD DENMAN said, that he hoped a Congress would meet, and like a Court of Justice, which always had the record before it, would have the Treaty of San Stefano placed on its table. He would—

> "In its season bring the law,
> That from discussion's lips may fall
> With life that working strongly binds,
> Set in all lights by many minds
> To close the interests of all."*

He found† that at the Congress of Sistovo (1791) every Treaty bearing on the subject was required to be read, and the Plenipotentiary there (Sir Robert Murray Keith) received no instructions from home for five months, and his Excellency was fully trusted by his Government. Indeed, it took two months to receive an answer by return of special messenger; but our Representative was equally trusted by Her Majesty and her Government, and answers to questions and instructions might be received in a few hours, and he hoped very much that a durable peace might be the result of its deliberations.

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* Tennyson's Poem, *Love thou thy Land.*

† Sir Robert Murray Keith's Letters and Correspondence, 1st edition, vol. II., pp. 421-2, published by Colburn, 1849.

Address *agreed to, nemine dissentiente.*

Ordered, That the said address be presented to Her Majesty by the Lords with White Staves.

House adjourned at a quarter before One o'clock A.M., till half past Ten o'clock.

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HOUSE OF COMMONS,

Monday, 8*th April*, 1878.

MINUTES.]—New Member Sworn—William Ewart, esquire, *for* Belfast.

Select Committee—Parliamentary and Municipal Elections (Hours of Polling), Mr. Mundella and Mr. Charley *added.*

Private Bill—Manchester Corporation Water, reported from Select Committee. [No. 136.]

Public Bills — *Resolution in Committee*—Conway Bridge (Composition of Debt) *.

Resolution in Committee—Ordered—First Reading —Pier and Harbour Orders Confirmation (No. 1) * [148].

Ordered—First Reading—General Police and Improvement (Scotland) Act, 1862, Amendment * [147].

Committee—Public Health Act (1875) Amendment (*re-comm.*) * [144]—R.P.

Committee—Report—Bills of Exchange (Acceptance) * [135].

Considered as amended—Metropolis Management and Building Acts Amendment * [132].

QUESTIONS.

* * *

THE NAVAL STRENGTH OF THE COUNTRY—ARMING THE MERCANTILE MARINE.—QUESTION.

Sir EDWARD WATKIN asked Mr. Chancellor of the Exchequer, Whether it is true, as stated in the "Pall Mall Gazette" of Saturday, that, at a meeting of the Society for the Aid of Russian Maritime Commerce, held at Moscow, on Thursday, it was unanimously resolved to organize a volunteer fleet of light vessels to destroy the enemy's commerce, to form committees and open subscriptions for that purpose all over Russia, and to request the Cesarewitch to accept the honorary presidency of the Central Committee; whether it is also true that the chief of this society (Count Kameroffski) has consulted Professor Bluntschli, of Heidleberg, on the question of public law in Europe, with regard to capture at sea in time of war, and that the Professor has given the same opinion which he gave at the outbreak of the Franco-German War to the Government of Prussia—namely, that merchant vessels might be turned into cruisers or other war vessels, provided their crews were organized in a military manner and placed under responsible officers; also, whether, in view of possible war, the Government propose to consider measures for arming and commissioning the Mercantile Marine of Great Britain and the Colonies, in order thereby to augment the Naval strength of the Country, to enable the Mercantile Marine to protect itself against privateers and pirates, and to facilitate the early capture of the ships of the enemy in the various waters of the world?

The CHANCELLOR of the EXCHEQUER: Sir, Her Majesty's Government have received no information that would enable me to answer the first part of the Question of the hon. Member. With regard to the second part, I can only say that we are well aware of the fact that this country possesses in her Mercantile Marine a very powerful reserve of maritime force, and that, in the event of any necessity arising, Her Majesty's Government will take measures to gain the full benefit of that reserve.

ARMY—QUARTERMASTERS.
QUESTION.

Mr. STACPOOLE asked the Under Secretary of State for War, Whether it is intended to improve the position of quartermasters by giving them increased rank after certain service—the same as other staff and departmental officers?

Colonel LOYD LINDSAY: Sir, the Secretary of State for War does not feel himself justified in holding out any expectation that an alteration will at the present time be made in the position of Quartermasters in the Army. Their case has repeatedly been under consideration. The late Secretary of State decided not to propose any alteration in their position, in January, 1877. Recent changes, caused by the appointment of Army Quartermasters to the linked battalions of Militia at Brigade Depôts, will have opened to Quartermasters a large number of appointments of a comparatively stationary nature—appointments which have always been considered of a very advantageous character.

ARMY—THE MILITIA RESERVE.

QUESTION.

Mr. J. HOLMS asked the Secretary of State for War, Whether the Militia Reserve now called upon by Royal Proclamation to enter upon Army Service, and to serve until their services are no longer required, are to be retained after the emergency has passed as a part of the Regular Army or not; and, whether, as by "The Militia Reserve Act, 1867," their places in the Militia are deemed vacant when they are called upon to enter upon Army Service, it is the intention of the Government to fill such vacant places immediately, or not?

Colonel LOYD LINDSAY: Sir, under Section 10 of the Militia Reserve Act—

> "Militia Reserve men, who have entered upon Army Service shall, as soon as their services are no longer required, return to serve in the Militia regiments to which they belong."

This arrangement will be strictly carried out according to the Act. The second part of the Question touches a matter of policy. It is asked whether the Government intends to fill up the vacant places in the Militia caused by calling up the Reserve? Yes, it is intended to allow the Militia to fill up the vacancies occasioned by 30,000 Reserve men having been transferred to the Line; but, of course, this will be gradual and not an immediate process.

INDUSTRIAL SCHOOLS.—QUESTION.

Mr. O'REILLY asked the Secretary of State for the Home Department, Whether it is his practice, when asked to certify an Industrial School, to certify it for as many children as the Inspector reports it is adequate to accommodate, or for what other number?

Mr. ASSHETON CROSS: Sir, as a general rule, the Secretary of State would certify for such a number of inmates as the school could adequately accommodate; but he must be satisfied that the additional accommodation asked for is actually required to satisfy the demands of the particular locality where the school is situated. Circumstances sometimes render it desirable and sometimes necessary to restrict the number of children.

THE NATIONAL DEBT—THE NEW SINKING FUND.—QUESTION.

Mr. GORST asked Mr. Chancellor of the Exchequer, Whether he has any objection to state what precise amount of the National Debt Charge of £28,000,000 will, in the year 1878-9, be actually required for the payment of interest on the National Debt, and what portion will be, in fact, applicable to the extinguishment of Debt by the operation either of the Terminable Annuity Scheme or of the new Sinking Fund?

The CHANCELLOR of the EXCHEQUER: Sir, it would require an actuarial calculation, which I have not had time to make, in order to answer in a precise form the Question of my hon. and learned Friend. But I may state, in general terms, that probably about £23,000,000 out of the £28,000,000 will be required for the payment of interest and management of the Debt, and that about £5,000,000 would be applicable to the redemption of the Debt, either by the operation of the Terminable Annuity Scheme or of the new Sinking Fund.

SOUTH AFRICA—THE TRANSVAAL TERRITORY.—QUESTION.

Mr. COURTNEY asked the Secretary of State for the Colonies, Whether he can lay upon the Table any Papers on the re-organization of the Transvaal Territory, and, particularly, whether he can indicate the sources of revenue out of which the Expenditure of the Government of the Territory can be met?

Sir MICHAEL HICKS-BEACH: Sir, I fear I am unable at present to produce any Papers specially bearing on the re-organization of the Transvaal

Territory. I may remind the hon. Member, that Sir Theophilus Shepstone has for some time past been detained at the extreme south of the Transvaal, his attention being mainly occupied by the dispute as to boundary between the Colony and the Zulu King. Mr. Sargeaunt was sent out in October last by my Predecessor as a Commissioner to inquire into the sources from which the revenue is derived and the mode of its collection and audit, and to consult with Sir Theophilus Shepstone as to the future administrative establishment of the Colony. His Report has not yet been received; but I may state that we have reason to believe that since the annexation the receipts from revenue have borne a very satisfactory proportion to the expenditure.

BORNEO AND SULU.—QUESTION.

SIR CHARLES W. DILKE asked the Secretary of State for the Colonies, Whether it is true, as stated in "The London and China Telegraph" of April 1st, that an English Company, represented by the Baron de Overbeck, has obtained from the Sultans of Borneo and Sulu a large cession of territory in their respective Dominions; whether the cession in Sulu was made in the presence of the Governor of Labuan and Consul General for Borneo; and, whether a Vice Consul in Her Majesty's Service has been appointed resident of the Company in the ceded district?

SIR MICHAEL HICKS-BEACH: Sir, I believe that the facts stated in the hon. Baronet's Question are substantially correct. They are now under the consideration of Her Majesty's Government, and it has not yet been decided whether the proceedings are such as can properly be sanctioned.

EGYPTIAN FINANCE — MR. RIVERS-WILSON.—QUESTION.

SIR GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, Whether it is to be quite understood that Mr. Rivers-Wilson was not designated by Her Majesty's Government to inquire into the affairs of Egypt, but was lent on an application for his services?

MR. BOURKE: Yes, Sir; that is so. The Khedive asked for Mr. Rivers-Wilson's services, and Her Majesty's Government have given Mr. Wilson leave of absence in consequence.

NAVY—H.M.S. "VANGUARD." QUESTION.

MR. D. JENKINS asked the First Lord of the Admiralty, If all hopes of raising the "Vanguard" have been abandoned, and, if so, what steps are proposed to be taken for the removal of the wreck?

MR. W. H. SMITH: Sir, hopes of raising the *Vanguard* are not abandoned. A contract was entered into with Captain Coppin more than a year ago, and he has until the 31st of October to raise the ship. We are told that he has made preparations for that purpose, and great hopes are entertained that something will be done; but, until after October, it will not be possible for us to take any further steps.

LAW AND JUSTICE—JUDGES' SUBSTITUTES.—QUESTION.

MR. DILLWYN asked the Secretary to the Treasury, Whether, in cases in which from the continued illness or infirmity of a Judge, a substitute is appointed to act on his behalf, the remuneration given to such substitute is paid by the Treasury or by the Judge for whom he acts?

SIR HENRY SELWIN-IBBETSON: Sir, when a Judge is prevented by illness from going Circuit the payment of a substitute or deputy appointed to go in his stead does not fall upon public funds, but on the Judge himself. When, however, a Judge is prevented by continued indisposition from discharging his duties in London, there is no power to provide a substitute at all; but his duties, if performed, devolve upon his brother Judges.

ORDERS OF THE DAY.

MESSAGE FROM THE QUEEN—ARMY RESERVE FORCES.

Her Majesty's Message [1st April] *considered.*

Message again read.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I rise to move that an humble Address be presented to Her

Majesty, thanking Her Majesty for Her Most Gracious Message, which has just been read at the Table. I presume that it is quite unnecessary for me to state for the information of hon. Members what the character of the measure is which Her Majesty has been advised to take; but, in order that there may be no misapprehension on the subject out-of-doors, it may be as well to remind the House that the step which Her Majesty has been advised to take has been that of calling out, under the Acts which regulate the present system of the Army Reserve, certain portions of the Reserve Forces of the country. The House will bear in mind that that is a necessary incident of the present system of our Army Service; that instead of having, as in old times was the case, an Army recruited for long periods of service, we have now an Army which is recruited for short periods of service, and which is divided into the portion which is actually under service, and the portion in reserve, which is liable to be called out; and that when an occasion arises which, as described in the Act of 1870, is one of emergency, it is in the power of Her Majesty, whether Parliament be sitting or not, to take measures for immediately calling out the Reserve to join the ranks. When Parliament is sitting, that step is announced by Royal Message, and when Parliament is not sitting, it is announced after an Order in Council by Proclamation, and in either case it is carried into effect by Proclamation. It will be understood, of course, that in taking such a step, it is not intended on the part of Her Majesty or Her Advisers to alarm the country by stating that there is any emergency such as might arise in any moment of great national peril. It is not, for instance, an emergency of the character which arose when the Army of the First Napoleon was encamped upon the heights of Boulogne, and when an invasion of this country was threatened. Nor is it such an emergency as that which arose when our Armies were called out to hasten to India to suppress the Indian Mutiny. But it is an emergency of such a character as renders it desirable in Her Majesty's opinion that Her Army should be put upon a footing which permits of it being made use of, if necessary, without delay. Now, it is obvious that, supposing the services of the Army, which is maintained on the footing that is necessary for the discharge of its duties in time of peace—supposing it is necessary that the Army so organized should be called into active service, it is obvious the necessity would very speedily arise for supplying the demands of those portions of Her Forces which Her Majesty might be advised to send abroad, and that that could only be done in one of two, or perhaps I might say three, ways. It might be done by recruiting. To bring in raw recruits would take some time, and when brought in, they would be of comparatively little value if hastily called out; or it might be done by taking men from one regiment to strengthen another, which would be greatly to the disadvantage of the former regiment; or, thirdly, it might be done by the system now established by the wisdom of Parliament—that of calling out the Reserves which are available for such occasions. Well, Sir, it is with the view of so mobilizing the Army of this country that this step has been taken by the Government and the Crown, and it is a measure very similar to, and should be treated in the same spirit as, the measures taken when the Vote of Credit was passed by this House. At that time we asked for a Vote of Credit in order that we might be supplied with the means of moving, if necessary, an Army Corps, and that we might have all the materials necessary for the service of an Army Corps, if its services should be required. If we did not at that time ask for an addition to the number of men in the Army—and it was remarked that we did not do so—it was because it was known that we had these Reserves to fall back upon, and that we could easily and quickly avail ourselves of them if occasion should arise. Sir, in the opinion of Her Majesty's Government, that occasion has now arisen, and it is necessary that the Reserves should be called out, not in any sense as a measure of war, but simply as a measure of precaution, in order that if occasion should arise, we may quickly avail ourselves of the services of the Army, and that there should be no delay or difficulty in making any of the necessary arrangements. It may be asked why at this moment we should think it necessary to take such a measure of precaution as that; and it may be asked, and it has been asked by some, why, if we were content to sit quiet while the war between Russia and Turkey was proceeding, now, when that war is at an end, we should think it necessary to take measures of precaution which appeared to be superfluous during the continuance of hostilities? There were reasons why it was objectionable to take such measures while war was proceeding. Her Majesty's Government had taken up a position of neutrality during the war, and that was an attitude which it appeared to be right for them to assume on behalf of this country, and it was an attitude which they faithfully observed during the continuance of those hostilities. It was obvious that if a measure of this kind had been taken during the continuance of hostilities, it might have given occasion to both parties to believe that we were about to depart from that attitude; and, considering that the neutrality which we observed was a neutrality under certain conditions, which conditions were observed during the course of the struggle, it would have been impossible for us without apparent inconsistency to have taken measures such as those which we have since found necessary. Since the war has come to an end matters have assumed an entirely new aspect, and it has become necessary for this country to consider her position and the duty she might be called upon to discharge. The war is at an end, and the war has been concluded by the Treaty of San Stefano. Well, now, we ought to bear in mind that the whole settlement of South-Eastern Europe has rested upon Treaties to which the Great Powers of Europe, and this country among the rest, have been parties. Those Treaties have settled for many years the basis upon which the European system was to rest, and, according to which it was believed the interests of Europe, as a whole, and the interests of separate countries, might be best secured. But that system has virtually come to an end. That system has broken down, and a new one must be put in its place; and it becomes necessary for this country to consider what the new system should be. The Treaty of Paris has been virtually set aside, and it is proposed to substitute the Treaty of San Stefano for it. But, if that is the case, if the Treaty of San Stefano is to be made the basis of the future European system, it is necessary that those Powers who are interested in the maintenance of European peace, and in the various matters which affect the settlement of what has been included in all those arrangements which were the subjects of the Treaties of 1856 and 1871, should take counsel and consider what is the nature of the settlement to which they are asked to be parties. And this country, among others, must claim, and does claim, that she should have a voice in the settlement of those Treaties which are now to be put aside and the other Treaties which are to be put in their place, that we may know what the arrangements are which we are called upon to agree to. We approach this question in no mere narrow desire to guard the peculiar interests of our own country alone. It is our desire to consult the general welfare of Europe, of which this country is a component part and a very important part. We have interests which are, more or less, separate and peculiar to ourselves; but we have, above all, interests in which others are equally sharers—interests in the maintenance of peace, interests in the maintenance of good government in countries which it is most undesirable should be exposed to insurrections and disturbances, and interests in the fair, full, and free development of the different nationalities and different elements of which those countries are composed. It is impossible that all the questions arising out of a settlement of this kind can be dealt with at all, or dealt with satisfactorily, unless the nations of Europe, meeting in free, open, and unreserved discussion, are enabled to take a general view of all that is proposed by way of settlement, not only to consider each individual article of the proposed Treaty, but to consider the Treaty as a whole, and in its bearing on every party to the Congress. That is the sort of Conference to which we consider Europe is invited, and to which we desire, at all events, she should come. It has been said by some that England is throwing obstacles in the way of the assembling of a Conference. There is nothing more untrue than that England is in any way throwing obstacles in the way of a Conference. What England desires above all is the opening of a free Conference—of a Conference that will be able and willing to undertake the settlement of these great matters. What we do object to above all things is the opening of an unreal Conference—of a Conference which would feel itself in some way or other tied or hampered in approaching the settlement of questions, which are all cardinal questions and cannot be passed over. We should feel it was a serious evil, and a very great cause of danger to Europe, if we should find ourselves in a Conference from which, in consequence of the mode in which it was conducted, we should find it necessary to withdraw. We should feel it to be a still greater evil if we found ourselves in a Conference in which great questions were opened, but were smothered over with ambiguous phrases and terms which might be construed in one way by one and in another way by another, and which left open dangerous questions, and left untouched the seeds of future wars and disturbances. We desire that there should be no ambiguity in what we are about. We desire that we should be allowed to go into this Conference with full and free powers to discuss what is to be the future charter of Europe as regards all that portion of the Continent, and that we should do that with the full and free understanding beforehand that there should be no let or hindrance to our proceeding in that way. I think it is altogether unmeaning to find fault with Her Majesty's Government, as being over-particular or over-susceptible with regard to the phraseology that is to be used in settling the terms upon which the Conference is to meet. Undoubtedly, we should be guilty of a most gross violation of duty, if we were to allow any question of phraseology or any point of vanity to prevent our taking part in a great, substantial, and beneficial settlement. But in these matters, words are things, and it is of the highest importance that we should be clear as to our words—that we should be clear, at all events, as to the meaning to be attached to them. We know what evil consequences might arise from a misunderstanding. I have myself known the evil consequences which have sometimes arisen from being too ready to accept an understanding which never, after all, was understood to be an understanding. I can remember cases—I do not wish to make more special reference to them—in which, even in diplomatic transactions, difficulties have arisen subsequently, because there was too much readiness to endeavour not to see a difficulty, and to assume an understanding when understanding has not been arrived at. We ought to take warning from cases of that kind. There should be no possibility of a misunderstanding arising in the Conference to which we and Europe are now invited, and we believe that it is for the interests, not of ourselves only, but of Europe generally, and we are convinced that it is also for the interests of Russia herself, that there should be a clear and distinct agreement between us all; and that the Conference, which, we trust, is to be held, should be a real and final one, and should not leave open those matters of which Russia, as well as others, had found the inconvenience of leaving open. The language of Russia from the beginning of this question has been pointed in that direction. When first she called attention to the difficulties arising in Turkey, the argument she advanced when, upon the failure of the Conference of Constantinople, she took up arms to enforce what could not be settled by argument—her argument was that it was impossible for her to allow the turbulence and the discontent that had been going on so many years on her immediate borders to continue, as they led to excitement among her own people and neighbours, and to that condition of things she could not submit. But if there is to be an unreal and sham Conference—an attempt to gloss over difficulties and shrink from boldly grappling with them—we should leave Russia exposed to the very danger from which she said she had suffered so much, and we shall run the risk, of course, in a very few years, of seeing the whole of these matters re-opened, and the opportunity now offered will be lost for ever. I wish most carefully to abstain in anything I may say from using language that can be regarded as in the slightest degree irritating or offensive to a great country like Russia. There is no question whatever that Russia has gone through a struggle, has made sacrifices, and has endured suffering which entitle her to great consideration, and entitle her to claim that what she says should be listened to with attention, and that due allowance should be made for feelings that naturally are engendered in a great contest of that sort. But, at the same time, we must speak frankly, and must say that we cannot permit the pretensions put forward in a Treaty like that of San Stefano to pass unchallenged, or without a most complete and searching examination. We know very well what the effect of that Treaty will be. We see that if that Treaty is allowed to pass as it is, Russia will have a complete grasp over the whole of that which has hitherto been known as the Turkish Empire. It seems that the Treaty places Russia in a position which will enable her to make use of the commanding position it gives her in such a way as may be most dangerous and most inconvenient to the general interests of the European Powers. If that settlement is acquiesced in, it cannot continue for ever. We know that difficulties and jealousies will arise, that there will be before long disturbances and quarrels, and that wars will probably break out. Then, if we look at some of the individual arrangements of the Treaty, we see there is an absence of consideration for all populations except those of Slavonic origin. Although the question of the Greeks and of the Mussulmans is partly touched upon by the Treaty, it is by no means adequately provided for; and we see that if the country is left in the position in which that Treaty would leave it, there are almost certain to be jealousies, almost certain to be heart-burnings, almost certain to be insurrections and quarrels between the various nationalities which are more or less affected by it. Sir, we think it is the duty of this country to use her influence in the Councils of Europe to endeavour to have that Treaty so carefully and so fully considered, as that we may be enabled to get upon a footing that will make it more consonant with the maintenance of the European system than it at present promises to be. And in making that request—that demand—we are only asking for that which, in point of fact, Russia has always, I believe, from the beginning of the war contemplated. We have always understood, and certainly at a comparatively early period we were distinctly informed by Russia that, after the war was over and the preliminary conditions of peace arranged, Europe would be invited to a Conference for the consideration of the final conditions of peace. That statement was made to Colonel Wellesley by the Emperor at the beginning of the month of August or the end of July last year. That is precisely what we have always felt assured would be the case, and it was in the confident assurance that it would be the case at the end of the war, that England maintained the neutrality which she had proclaimed, and which has certainly not been otherwise than beneficial to Russia. Therefore, all that we are asking that Russia should do now is that which in the month of August she said she was prepared to do —namely, that Europe should be consulted in Conference to settle the conditions of peace. And we are in hopes even now, although difficulties have arisen for the moment, that those difficulties may be but apparent, that they may be surmounted, and that we may find ourselves invited to a Conference upon what shall be a satisfactory settlement. It is, however, idle to conceal from ourselves that that is not the position at the present moment. It is idle to conceal from ourselves that—disguise it as you may, soften it as you will—Russia has not at the present time agreed to that full discussion of the Treaty of San Stefano in all its Articles in relation to their bearing on existing Treaties that we desire and that we think essential. Even now Russia may, when she considers the matter more calmly, come to a different conclusion, and may see that in making this demand upon her there is no *arrière pensée* on the part of England, that it is from no selfish object or desire to interfere with a proper and reasonable settlement that England is thus particular in insisting upon the terms upon which alone she will go into a Conference; but that it is with a sincere wish to enter into a settlement which shall be beneficial to Europe as well as to Russia as a part of Europe. I am sure, at all events, that the sentiment of Europe is in accord with the sentiment of Her Majesty's Government, and that Europe desires to see an end put to these great and disadvantageous distractions. I am satisfied that the voice of Europe is entirely in accord with us in a desire for the settlement of the Eastern Question upon a broad and—as far as anything human can be called final—a final basis. It desires to see a Conference entered upon which should seriously treat every Article by itself, and also every Article in relation to the whole. It is absurd to say that— —"You can treat one Article by itself, and as this is a matter which relates only to the interests of Russia and Austria, let Russia and Austria settle it, and we have nothing to do with it. Here, again, is an Article that relates to the interests of Russia and England, let Russia and England settle it between themselves and let the other Powers stand aside. Here, again, is an Article that relates simply to the interests of Russia and Turkey, let Russia and Turkey arrange it together, and let the other Powers stand aside." It may be that one Article may more especially affect one country and another Article may more especially affect another country. But to leave the consideration of the whole out of the case—to leave the consideration of the general effect of a Treaty which involves these Articles on one side would be to leave the whole matter open to danger and unsettlement. Probably a partial settlement may be made here and another partial settlement there; and in that way separate interests are created and separate feelings are aroused which may make joint action more impossible. In these circumstances, Her Majesty's Government must continue to press for the condition which they have insisted upon. We believe that we may be successful; but if it be not so, at all events it is our duty to consider what are the special and peculiar interests of England; and if we are denied the advantage of taking part in a general European settlement such as we desire, it is the paramount duty of those who are charged with the administration of affairs in this country to see that the interests of England should take no damage. The House knows as well as we do—because it has been repeated over and over again—that it is a cardinal point of our policy to maintain the integrity of the Empire, to maintain the communications between its different parts. They know that we look to the maintenence of our communications with India and with the East; that we desire to establish ourselves on such a footing that there should be no danger either of the interruption of those communications or of such a threatening of our position as may cause them embarrassment or difficulty. I do not go into the minute questions of routes and lines of invasion and attack. I, for one, am as well disposed to think lightly of them as anyone in this House. I have, indeed, often agreed with what my hon. Friend the Member for Orkney (Mr. Laing) has said with reference to particular lines of possible attack on or invasion of India. But, on the other hand, we have not been able to conceal from ourselves the moral effect which might be produced on our position in India from changes that might be made. We have not been able to conceal from ourselves the effect that possible changes might have on the routes and communications that are now kept open to our Eastern Dominions. And it is our duty to be prepared, if, unfortunately, occasion should require it, to defend by our own right hands, and our own means, the communications which we think essential. Although I am obliged to use words of that sort to justify the position which we might have to take, I trust that no occasion of that kind will arise. I trust that the spirit which has animated this country, and which has manifested itself throughout these transactions, will continue to the end and will bring its reward with it. Whatever may have been our feelings of anxiety and of uneasiness during some of these transactions, we have invariably endeavoured to follow one rule, and one rule only—namely, to ask ourselves on each occasion which was the right and the proper course for us to pursue. We have endeavoured to do that which is right, and to leave the issue to a higher Power. We maintained an attitude of neutrality during the great struggle which has been going on, because we felt it was a war in which we should not have been justified, and in which the feeling of the country would not have justified us, in taking a part. We have now endeavoured not to take any selfish line in that which remains before us. But we stand up and assert, with full confidence in the energy, the courage, the resources, and the patriotism of this people, that we shall be able—and that we are as determined as we are able—to maintain the interests of our Empire if those interests should be threatened. The policy which prompts the step which has been taken by Her Majesty's Government on the occasion which has now brought us together is the same policy which led Her Majesty's Government to call on Parliament some few months ago for support by means of the Vote of Credit, which Parliament granted with such very decided approbation, and with so marked an effusion of patriotism. I believe that the same spirit which prevailed then will prevail now. We believe it is a spirit as far as possible removed from a desire to provoke or to cause war; but it is a spirit of determination to stand by our rights, and to stand by our duty. That spirit, reflected as it will be by both Houses of Parliament, I trust, in the course of this evening, is a spirit which I believe will go far to secure both the rights of England in time of peace, and also to maintain her credit in the eyes of Europe and the world.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, thanking Her Majesty for Her Most Gracious Message communicating to this House Her Majesty's intention to cause the Reserve Force, and the Militia Reserve Force, or such part thereof as Her Majesty should think necessary, to be forthwith called out for permanent service."—(*Mr. Chancellor of the Exchequer.*)

MR. GLADSTONE: My first duty, Sir, is to thank my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) for having kindly waived the precedence to which he was entitled as the Mover of an Amendment. I have also to express my thanks to my hon. Friend the Member for Kirkcaldy (Sir George Campbell) for a similar act of kindness. Their indulgence enables me to state the course that I individually intend to take, and my reasons for taking it. I have listened to the speech of my right hon. Friend the Chancellor of the Exchequer with this feeling. Had it been a simple exposition of the policy of the Government on his own authority given in the way of explanation, and having no Motion, no measure connected with it, and standing in no relation to other and yet more authoritative expositions of the policy of the Government, I, for my part, should have been contented either to sit silent, or, at all events, to take but a limited exception to the terms of that speech; because by far the greater portion of the sentences that have fallen from the Chancellor of the Exchequer were sentences such as I, for one, should not have had the smallest scruple or hesitation in using. Sir, the speech, whether in accordance with a special measure or not, was a speech introducing a Motion, and that Motion has direct reference to a measure which has been explained, not only in this House, but probably "elsewhere," by another speech, which I hope may resemble the one we have just heard. But, more authoritatively than either of these, that policy has been explained by a despatch which has received the approval and sanction of Her Majesty's Government, and which has gone abroad as an authentic commentary on the measure they have adopted. ["Hear, hear!"] I am glad that the proposition I utter is so freely recognized on the other side of the House. In these circumstances, it is not possible for me to confine myself to the limited observations which the speech of the Leader of the House alone need have drawn forth. It is necessary to consider the situation, not only in connection with the measure proposed to us, but in connection with what has preceded it, with what may follow it, and especially with what accompanies it—namely, the declaration of policy contained in the despatch of Lord Salisbury. At the same time, while claiming that right, and exercising that duty—for, as my right hon. Friend says, our rights and our duties are inseparably associated, both nationally and individually—I have no intention of asking the House, by a Motion in the nature of an Amendment, to contest the Address which my right hon. Friend has proposed. We have had past opportunities of declaring our opinion by our votes upon what I may call the military policy of Her Majesty's Government; future opportunities will occur to us when the Government submits to us the Supplementary Estimates required by their military measure; and, undoubtedly, where there is a choice, the reply to a Message received from the Crown does not offer the occasion most desirable and most appropriate upon general grounds for raising an issue to be decided by a division. If that be so, I have the further satisfaction of admitting that as the speech of my right hon. Friend was undoubtedly the very mildest speech which, in connection with the measure which he has proposed, it would have been possible for him to deliver, so that Message is the very mildest Message that, for the purpose which it had in view, it was possible to frame. I was very glad when I saw, after the ominous declarations which we have heard elsewhere about a restoration of the balance of power in the East, which appeared to me, if they had a real meaning, to point to the building up again of that fabric of iniquity—the Ottoman Empire—that no allusion to this subject was made in the Message. Her Majesty has been pleased to assure us that she has called out Her Reserves, and that she makes her communication to us, in the interests of peace. I am quite certain that even if there had been something equivocal in the attachment of the Government, or of any Member of the Government, to peace, that the Government could never have advised that these words should be put into the mouth of Her Majesty without intending to convey to her Parliament and her people by the use of these words a strong and solemn assurance. I will, therefore, Sir, neither move any Amendment, nor can I recommend any Friend who may look to my advice that any Amendment should be made upon this occasion, or that when the question is put from the Chair, any issue should be raised. I frankly own that, in so doing, I am making no boon to right hon. Gentlemen and hon. Gentlemen opposite. I know perfectly well, in addition to the reason which I have just given, that it is not in my power, by means of any Amendment that I might move or support, to check effectually upon the instant the military policy of which I so much disapprove. That is the position in which I, for one, stand in reference to the present debate, and I hope that I have made it sufficiently clear. I will now proceed to state the views I take of the measure of Her Majesty's Government, and likewise of the important document—the too important document—in which the grounds of that measure have been explained by the Foreign Secretary. I cannot admit, with my right hon. Friend, that what the Act of Parliament describes as a great emergency, has arisen in the present case. I observe, that by an omission on his part — unintentional, no doubt—he speaks not of a great emergency, but of an emergency; while the language of the Statute is not an emergency, but a great emergency. This is a question of the utmost importance and moment. Our Queen rules over an Empire, and our fellow-subjects are concerned in an Empire, not, like other Empires, limited to one part of the globe, but so spread and distributed over all its surface that no great disturbances can anywhere arise without raising questions of serious concern for the British Empire. If we are to give a lax construction to this Act of Parliament—which I believe contemplated the use of the phrase, and I may speak as one of those responsible for its selection and its application in that cautious and reserved manner which has been the habit of former Ministers in former times—we may change its real meaning; and it is most important to consider how often we may be in the unhappy predicament of having a great urgency alleged by the Government for calling out the Reserve Forces; and, I am sorry to add, whatever be the intention, and whatever the re-assuring character of the speech of my right hon. Friend, thereby disquieting the world, I can only say that within the last 12 or 15 years there have been at least three occasions upon which, in my opinion, if this be a great emergency, the principle of great emergencies might have been applied. Of course, I am aware that not till the year 1870 the present words were introduced into the Act; but that is not my point. My point is that if the circumstances now existing in the East constitute a great emergency, I have known within the last 12 or 15 years, at least, three occasions which, in my judgment, would likewise have to be contemplated as great emergencies if similar cases occurred in the future. I, therefore, wish to see what would be the significance of this interpretation of the terms should the course of events in the future be marked as it has been in the past, and as it must be from time to time by the re-occurrence of disturbances in various parts of the world. Most certainly it would have been a great emergency when, by the American War, 2,000,000 of our population had the bread taken out of their mouths, and were reduced to starvation or charity. Most certainly it would have been a great emergency when, at the time of the Franco-German War, a treacherous document was discovered, of which, naturally, no man has been eager to claim the paternity—I mean the instrument, not so much known or so much remembered as it ought to be, for the partition of Belgium and the absorption of a free country, and the suppression of its independence—a country which has offered an example of free government, combined with order, to every country in Europe. I will say, again, that the occasion of the Danish War would have been *à fortiori* a great emergency, if the present circumstances constitute one; for, in that Danish War, we came nearer to military measures than Her Majesty's Government have yet gone on the present occasion. We went so far as to make a formal proposal to France, that England and France should join and say to Prussia and Austria—"You shall not settle the question of the Danish Succession except by juridical and legal means." That was a proposal which, in similar circumstances, would have been made by the present Government; for I recollect that the present Foreign Minister attacked us for not going further than we went. As Lord Robert Cecil, he expressed that view of our policy; and, therefore, when such an occasion occurs again, it might undoubtedly be for him a great emergency. I contemplate that, if we are to have a lax interpretation of this phrase, the military machinery of this country may be put into extended motion upon grounds such as are now alleged of the necessity of defending British interests, which no one has attacked—which no one has expressed any intention of attacking—and which I say, advisedly, it is against the plain and palpable interests of any one of the Powers interested in this question to attack. If, under such circumstances, we are to have a great emergency, in my opinion, within three, four, or five years, the people of this country, should this principle receive permanent sanction, may expect to have a great emergency, and, while their heart is set upon peace, to discover that they have been led almost to the brink of war. My right hon. Friend says that this measure is a measure parallel to the Vote of Credit. Permit me to say that he has not referred to the express declarations with which the Vote of Credit was introduced, and by which it was recommended by himself as well as others. We were told by the right hon. Gentleman who is now Secretary of State for War that of that Vote of Credit no portion would be required. ["No, no!"] We were told that that was his opinion. I took the words down at the time, and, if my right hon. Friend opposite is not aware of that, I am sorry that he should have to depend upon my infirm memory for the declaration of his Colleagues. The Chancellor of the Exchequer said that the greater part of the Vote of Credit would be restored to the Exchequer. But I do not depend so much upon that as upon the declaration which accompanied the Vote. It was proposed to enable Her Majesty's Government to go into a European Congress on an equality with the other Powers, and not, therefore, in the slightest degree with military views. But is that the language held now? On the contrary, the world has been under the belief, and we are still under the belief, notwithstanding the faint glimmer of hope to be gathered from the speech of my right hon. Friend, that it was not to enable Her Majesty's Government to go into the Congress armed with what they called a Vote of Confidence—that they have had long ago, and everything it could give them they have long ago enjoyed—but that the present proposal points undisguisedly to military preparation. Unless we are much mistaken, the measure directly contemplates an expedition beyond our own shores. Surely, therefore, I am justified in saying that the proposal now before us comes before us in a different aspect from the former, and has an advanced purpose altogether distinct from it. I believe Her Majesty's Government have wrongly advised the Crown upon the use of the words "great emergency"—words clearly intended to have reference to some great danger to the interests or the honour of the country, neither of which are in danger at the present moment. Now, Sir, I heard with great satisfaction one declaration of my right hon. Friend, and I must say it would give me a degree of pleasure I can hardly describe were it in my power to substitute the speech we have just heard for the despatch lately laid upon the Table. [*A laugh.*] The hon. Member for Portsmouth (Sir James Elphinstone) smiles, as though I had thought of some practical proposal for that purpose, and imagined there was some Parliamentary Form through which it could be carried out. Let me suggest to the acute mind of the hon. Member that what I meant was that if I could substitute something conceived in the spirit of the speech of to-day for the despatch conceived in the spirit in which it was composed, it would give me indescribable pleasure. Sir, my right hon. Friend, for the first time, on the part of the Government, has given scope to his feelings on the subject of the Congress. He said, in substance, that it was his earnest and warmest desire to find himself honourably placed in a Conference of the Powers of Europe. All along, during these discussions, I have gathered up every crumb of comfort I could. I have never heard a syllable falling from the lips of a Member of the Government in the public interest, as it appeared to me, without endeavouring to turn it to account; and so I gladly record the words of my right hon. Friend. I believe it is to this point we should address our principal consideration to-night. I believe that the heart of the vast mass of the people of this country is set upon having such a Congress. As to having it upon honourable terms, that is a matter of course; no one would dream of having it upon any other terms. My right hon. Friend tells us—and again I thank him for it—that he has yet some hope the Congress may meet. I rejoice to receive that limited assurance in a matter of such profound and vital interest to us. Why, I ask, is it not to meet? Because, says Lord Salisbury, of the reservations laid down by Prince Gortchakoff in his most recent document—that is to say, the document in which he says that any Power may propose for discussion what it pleases, and that Russia—like any other Power, I presume—will reserve it to herself to accept or not accept the discussion. What do these words mean? Do they mean that Russia claims a title to limit the discussions of the Congress, or simply a title to limit her own share in it? These two things are essentially different. I have again and again endeavoured to obtain from the Chancellor of the Exchequer an explanation upon that point. To-night a great portion of the speech of my right hon. Friend has been a denunciation of ambiguity. He tells me of the necessity of leaving everything clear and of not going forward blindfold. Why, then, does the Chancellor of the Exchequer decline to give me the meaning of these words? It is one thing for Russia to limit the discussions of the Congress; it is another to do that which Turkey may do, which France, Italy, England, Austria, Germany can do—that is to say, to make herself the judge of the share she should take in those discussions and in the proceedings of the Congress altogether. In vain have I asked whether the Russian Minister intends to claim the right of withdrawal, which every Power possesses, or the right of veto, which no Power possesses? If the Chancellor of the Exchequer stated that the latter was the power claimed, it would be something gained in the way of clearness; but that explanation was steadily withheld in the answer the Chancellor of the Exchequer gave me across the Table. I endeavoured to find out whether the Government were willing or not to give consideration to the German proposals for a preliminary Meeting of the Powers. The Chancellor of the Exchequer says it is most important to have a clear understanding before we enter the Congress. If so, why do the Government refuse the German proposal? If they want a clear understanding, why do they limit it to themselves and Russia? The German Government have pointed out to Her Majesty's Government the right and sound and common-sense way of proceeding. Why can they not in some shape or way meet by their Ministers or Plenipotentiaries, as was done at Vienna, and clear away all ambiguities before the Congress assembles? What is the use of controversies carried on by telegram in brief sentences, showing how curtly men can write, and showing, too, that they are not men accustomed to carry on such proceedings in a manner calculated to lead to a satisfactory result? Why not, I say, meet together to consider your doubts and misgivings, and contrive to find out what you can of the general sentiment? If you settle the matter with Russia, another Power may find out some other ambiguity, and enter into the same angry—perhaps, that is too strong a word; but, at any rate, not very good-humoured or friendly—correspondence on the subject. We have set ourselves up as the organs of, and the substitutes for, Europe. We call out for the rights of Europe, and we call out justly for the rights of Europe against Russia, and we will not allow her to compromise them; but we make ourselves the judges of what Europe ought to require before going into Congress. ["No, no!"] No! If you do not, then meet before the assembling of the Congress the Representatives of the Powers, and determine what the method of procedure should be. That is the way, as it appears to me, that doubt and ambiguity may best be got rid of. I never heard sounder doctrine on that point than what the Chancellor of the Exchequer laid down; but, all through, it appeared to me a severe criticism on the letter in which the British Government told the German Government that it saw no benefit to be derived from a preliminary discussion with the Powers on this point. Sir, some of the proceedings of Her Majesty's Government I have had occasion to notice—included in the speech of my right hon. Friend and the Message under consideration. I observe with very great pleasure the promise given by Her Majesty's Government to the Kingdom of Greece, which obviously was a promise, not to the Kingdom of Greece in its isolated and separate capacity, but the Kingdom of Greece as the natural, although informal, representative of the Hellenic race beyond that Kingdom. Before saying anything in a hostile sense in reference to the despatch of Lord Salisbury, let me say, with pleasure, one word upon an important part of it. As long as I can I will cling to the belief that the definition of policy towards the end of the despatch is one which contemplates truly British objects. I refer to the definition which states that the true policy must be one to secure "good government, assured peace, and freedom" for the populations living in the Christian Provinces of the Porte. There is, indeed, one passage which might excite alarm in Turkish quarters, if the construction which it seems to me to bear be the right one. It is that which refers to "the Government of Constantinople," and which has caused a great deal of attention. About the middle of page 4, it will be found that the noble Marquess is taking objection to the Treaty of San Stefano, as

> "threatening almost the entire subordination of the political independence of the Government of Constantinople."

I, for one, have never seen that phrase used before. I have heard of "the Ottoman Porte," "the Sublime Porte," "the Sultan," "the Padishah," "the Turkish Government," and so forth, but never of "the Government of Constantinople"—a phrase which seems to me to dissassociate the possession of Constantinople from all connection with the Sultan and with the Turkish race. I make no comment on the phrase beyond calling attention to it. Its use may have been accidental; but it has drawn attention, and it may or may not have considerable signification. I view, as I have said, the definition of policy with satisfaction, and I have no greater desire than to assist Her Majesty's Government by any feeble efforts I can make in the prosecution of the policy so defined. What I feel in regard to the Government is this, and I am speaking of them as a whole—I do not speak of the Prime Minister—is that we cannot reconcile their different proceedings. They appear to me to move to-day in one direction, and to-morrow in another; so much so, that whenever, for a long while past, anything has happened that has given pleasure, I have said—"Oh, let us take care; to-morrow there will be something different;" and, whenever, on the other hand, something has happened that has created apprehension and alarm, I have said—"Probably, in the course of a few days, it will be balanced by something of a better character." I will now give the reasons for this difficulty which I have felt. With regard to our position to-night, I must ask the House to enter with me into a short retrospect. I am not going back to any former discussions on the Eastern Question, nor to the period when the present Eastern Question arose, but only to that portion of the present transaction which has occurred within the last four or five months—since it has been clear that Turkey must succumb in the war. I hope the House and the country will recognize over how very much ground we have travelled during that period of a few months. At times, various causes have led to great apprehension—painful apprehension, I believe, in most quarters, exulting apprehension in others, and notably in the offices of some of the London daily newspapers, which are very far from being unimportant factors in the conduct of the present question. Apprehensions prevailed a short time back tending to the idea that the country was going into a war which, as I believe, the heart of the country detests and abhors, and which, I believe, can be avoided. The country was, however, reassured by the remarkable speeches of the Earl of Derby and the Earl of Carnarvon, when they were Members of the Ministry. But, let us follow the course of events since those speeches were delivered. From that time we have been sliding onwards upon a declivity, and it is most needful for us to consider where our movements are to end. First of all, came the disappearance of the Earl of Carnarvon from the Ministry, and the disappearance produced no inconsiderable check upon the confidence of the public. Secondly, came the presence, and, at length, the abiding presence, of the British Fleet in the Sea of Marmora. It is true that in the first instance—and English Governments always strongly insist upon their own veracity, and cannot admit England to be less virtuous than any other country—we were told that the Fleet only went up for the purpose of protecting the lives and property of British subjects; and that declaration has never been recalled or qualified—the Fleet remains, and the effect of the fact on the public mind has been to bring us a step or two nearer to the precipice. Then, as soon as the Fleet was comfortably settled in the Sea of Marmora, we had the Vote of Credit for £6,000,000. That Vote was the result of an appeal from the Government; and, whatever may have been said as to its sole object being to send us into the Congress with appropriate and adequate dignity, its undoubted effect has been to produce a disposition towards, and a craving for, war. Whatever may be the self-command and moral and mental equilibrium of the people, the Executive Government of this country is nearly as absolute—and from necessity—as in a despotic country in exciting the people towards war. On all the occasions that I can recollect when we have had war, such as the great Revolutionary War of Mr. Pitt, and the Crimean War in 1853, and on occasions when we might have had war, such as the very menacing quarrel, though from a very trivial incident, that arose between us and France in 1844, respecting the Island of Tahiti, the whole bearing and energy of the country have been addressed to repressing the first movement of the martial spirit, and to endeavour to secure calm and strict peace until the time of dire necessity arises. I am bound to say that it has not been so on this occasion. I cannot refrain from saying it has not been so on the present occasion. The peaceful declarations of one Member of the Cabinet have been qualified or have been overruled by declarations of another kind from the Prime Minister, or from other quarters. Therefore, Sir, partly from that, and partly from the special cause I have mentioned, I feel that has tended to bring us nearer to a warlike frame of mind. Then came the rupture of the Congress negotiations—that was another step in the same direction, which I hope the speech of to-night may do something to redress; and then came the disappearance of Lord Derby—another important step; for now two men were gone from the Cabinet upon whom, both for their disposition and their firmness, the hopes of the country had been, if not exclusively, yet principally, placed. Now comes the calling out of the Reserves; and I ask the House whether, amid the peaceful declarations of the Chancellor of the Exchequer, made in terms the sincerity of which no one can doubt, we are not drifting towards war? "Drifting" is a phrase which has now become historical, and I contend that it is a true and accurate one to apply to the movement of the mind and temper of this people and the Government during the last four months. There remains to us this abstraction, that there is no cause for war; at least, that a great many of us have looked into the facts of the dispute, and we find that there is no cause for our going into war. I would remind the House that, in the opinion of all thoughtful men, a causeless war voluntarily incurred is one of the greatest and most abominable crimes of which a country can be guilty. Now, I must ask what effect the important despatch which has been written by the Marquess of Salisbury has had on the disposition of this country? I ask the House to consider the important character of that despatch—about some of its arguments and the character of its assertions I shall have something to say presently. But I ask the House now to consider the time at which the reproaches it contains have been produced, and have been launched at the other party in the controversy. As to the spirit of that despatch, and the spirit in which the provisions of the Treaty of San Stefano have been considered, I cannot describe them so well as they describe themselves. But that spirit is well summarized in one of the newspapers of this day, which says that—

> "Lord Salisbury proved, in the most conclusive manner, that until either we retire altogether from India, or else obtain the mastery of the entire portion of the Globe between us and India, there will be opportunities for making a great emergency whenever the Ministry is disposed to make it."

I feel that to be a correct designation of the logical argumentative triumph effected by a portion of that despatch. In that despatch I find the Congress spoken about; but not one word to show that the writer set any value on the Congress, or had any such feeling about the Congress as the Chancellor of the Exchequer describes to be his own feeling. I am now going to make a charge, which, as I see the Secretary of State for India is making notes, I beg he will note. I shall endeavour to make myself perfectly clear, and I crave the indulgence of the House when I say that I intend to charge Lord Salisbury's despatch with misstatements. I do not doubt that these misstatements have been committed involuntarily; but, at the same time, I do not think they are creditable to the Foreign Minister of this country. ["Oh, oh!"] Hon. Gentlemen may cry "Oh, oh!" but I would ask them, are misstatements creditable? I disapprove of certain statements in the despatch, and all I ask is that hon. Gentlemen who disagree with me should listen to my proof. After having done that, they may, if they like, rise in their places, and, if they think fit, attempt to disprove what I may say. But, to pass on—what says the despatch upon the important question of the choice of a Prince of Bulgaria? It says—"Bulgaria is to be subjected to a Ruler whom Russia will practically choose." But what says the San Stefano Treaty? Can anyone believe that a Secretary of State should have made this assertion, when there is nothing in the Treaty which secures to Russia as a separate Power the right of choosing this Ruler of Bulgaria? The stipulations of the Treaty on this head are three in number, and they are to be found in Article VII. In the first place, this Prince of Bulgaria is to be freely elected by the people. His election is to be confirmed by the Porte, and that with the assent of the other Powers. I put it to Parliament, whether those being the stipulations of the Treaty, they think it candid or honourable to state as a result of the terms of the Treaty that a Prince of Bulgaria is to be one whom Russia will practically choose? If the case were reversed—if we had been making these stipulations for the choice of a Ruler of Bulgaria, and we had provided for the free election by the people, and confirmation by the Porte, and confirmation by all the Powers of Europe in the final arrangement, I should like to know what would be thought if Prince Gortchakoff had said that the Prince of Bulgaria would be a Ruler who would be practically chosen by England? We should not have allowed it to be said, because by the Treaty it would have appeared different. The next misstatement I have to notice is, perhaps, not quite equal in importance to that I have just pointed out; but I think it is worth noticing, because it is most inequitable. It is most important, in conducting diplomatic controversies of this kind, which may affect the peace of the world, that every statement should be equitably made. What is said in this despatch with regard to the Christian Provinces other than Bulgaria? It states that the laws by which they are to be governed are to be framed under the supervision of the Russian Government. That is the whole description given of the provisions of the Treaty for framing the regulations for the government of any Province. But what does the Treaty say? Turn to Article XV. It deals first with the question of Crete. It is unfortunate, perhaps, that in that Article, the Russian negotiator, whoever he may be, appears to have had it in mind to pay a special compliment to Her Majesty's Government, by following out the organic Law of 1868 for Crete, which was framed with the approval, and with the large participation, of the Party opposite. That was a very defective law indeed. The Russians have cut down that law lower than they ought to have done in justice to the Christian population of Crete, for the purpose, evidently, to soothe and conciliate Her Majesty's Government. They have, however, I must say, improved upon the Treaty of 1868, for they have not said *simpliciter* that the basis shall be the Law of 1868; but they have likewise introduced the previously expressed wishes of the population, which are also to be taken into account. Well, now comes something else. With regard to the other Provinces—Thessaly, Epirus, &c.—the Treaty says there are to be analogous arrangements. How are they to be made? They are to be made by special Commissions—Commissions appointed by the Porte, with the Native element largely represented. The plans are to be submitted to the Porte, and the Porte is to consult Russia before carrying them into effect. Those are the terms. The organic Law of Greece is the basis. A special Commission is to be framed by the Porte, in which the Native element is to be largely represented; the plans are to be submitted to the Porte, and the Porte to consult Russia before carrying them into effect. Then, is it a fair description of that state of arrangements to say the plans shall be framed under the supervision of the Russian Government? Is that a method of proceeding, or a method of description, that any one of you would follow with his friend in a private contract? Would you adopt such a mode of proceeding with a friend? I call it a contentious mode of proceeding. I will not call it attorneyism, because none but the meanest of attorneys would have adopted it. [*Laughter.*] Hon. Members opposite laugh at that statement. I am sorry that they should do so, because I am not aware that this is a subject for ridicule, and I do not know that the hon. Members who laugh have done much to elucidate this question. I am doing my best to do so, and by the course they are taking they are making my task more difficult than it need be, and therefore I must request their forbearance while I continue my observations. Now I go on to what follows in this despatch. It is stated in the portion of the despatch which follows the portion to which I have just referred, that the Treaty contains engagements for the protection of the members of the Russian Church. In the first place, the members of the Russian Church are nowhere mentioned in the Treaty. Certain members of the Russian Church undoubtedly are mentioned, they being the ecclesiastics, clerks, pilgrims, including the monks of the three communities of Mount Athos, who are of Russian origin. The members of the Russian Church number some 60,000,000, whereas the members of the Russian Church living in the Southern Provinces cannot number more than 200,000 at the outside; while those in Turkey itself cannot exceed 2,000. This is a perfect sample of the ordinary stipulation made by one Power in treaty with another to secure immunities for its subjects—those known as the most favoured nations—immunities for its subjects when away in the territory of that other Power. I ask whether there is any other Article, however treated, besides Article XXII., to which Lord Salisbury alludes. I ask whether the Government are aware, or if the Secretary of State for India is aware, of any other Article? I do not wish to take up the time of the House unnecessarily. Then, if you cannot find, I cannot find any Article except Article XXII., and I think I hardly can be wrong. I do not wish to impute gross carelessness in a document without examination, and therefore I wish to feel the ground under me. The despatch of Lord Salisbury goes on to say that the Treaty contains engagements for the protection of members of the Russian Church. I have shown that that is a most improper phrase, for the words cannot be more limited in their scope than those in the Articles of the Treaty of Kainardji, which were the foundation of the Russian terms of 1854, and which were put an end to by the Treaty of Paris of 1856. If my opinion be a unanimous opinion or not, when I see a grave official statement of this character upon a matter so important as that Russia had endeavoured to dispose of the whole Treaty of Kainardji, not more limited in their scope, and suggesting that they were even more limited, I read those words with the greatest pain. Why, Sir, the Russians must have been doing some act of madness in inserting such stipulations as these in the Treaty. But what is the fact? The Treaty has nothing whatever to do with the Treaty of Kainardji. The Foreign Secretary cannot have read the Treaty of Kainardji, and no Member of the Government can have read it. There is a clause in the Treaty of Kainardji as to the Russian subjects. That was not the important clause of the Treaty of Kainardji. It was that which gave the Russian Emperor the right of requiring that the Sultan should protect the Churches of whatever denomination through the length and breadth of his Empire. It was on the Treaty of Kainardji that the Emperor of Russia founded the exorbitant claim which led to the Crimean War; and when there is not one solitary syllable in the Treaty before us to that effect, the Foreign Secretary of England, in the name of his Government, and with the concurrence of his Government, has brought this charge against the Government of Russia when the public mind is in an inflammable state, and when, if a match were applied, mischief might be produced far beyond his or my power to calculate or to check. I beg the right hon. Gentleman will observe the statement I have made, and will reply to it. I should be very sorry if he omitted an opportunity of making a satisfactory reply. What are the principal complaints contained in this despatch? The principal are these—They refer, in the first place, to Bulgaria; in the second place, to Thessaly; in the third place, to Bessarabia; in the fourth place, to Armenia; and in the fifth place to the indemnity. Now, of these five points or complaints upon which this formidable despatch is built, the indemnity is one that does not, as appears to me, belong to the consideration of Europe, except in so far as provision is made for a commutation of the indemnity. Territorial commutation is, I think, obviously, of European concern. Bulgaria, Thessaly, Bessarabia, and Armenia, are the other counts of the indictment. As to the taking of Bessarabia from Roumania, it appears to me impossible to conceive an act more impolitic or more culpable than that spoliation would be. [*Ministerial cheers.*] I am heartily glad to have sympathy with the other side of the House. I entertain a very sincere and a very strong opinion with regard to that spoliation. I think it quite unworthy of Russia. It is a step suggested apparently by considerations of national vanity, and what is called prestige, to which, unfortunately, other people are apt to be subject. Considering the gallant conduct of Roumania, the aid which she rendered to Russia at a critical moment in the history of the war, I shall not believe, until I see it in a Congress of United Europe, that Russia will adhere to this proposition. It is, however, clearly a question for the consideration of United Europe, which would have a right to do what it pleased in the matter of Bessarabia. England might not have the power to ensure that little bit of Bessarabia to Roumania, but Europe has the power and ought to use it. The question, however, appears to cut a very secondary figure, indeed, in the despatch of Lord Salisbury. I come to my last point, on which I am sorry to detain the House. I invite the attention of the Secretary of State for India. If you want to show that these stipulations endangered the peace and tranquillity of the world—that you must take military measures in consequence of them, why did you keep your resentment shut up from the month of June, 1877? There is hardly anything in the despatch of Lord Salisbury which in the summer of last year you were not made clearly aware of. Of course, there must be provisions in a Treaty which cannot possibly be communicated in a preliminary conversation. But let me give you the facts. The first point in the indictment appears to be that connected with Bulgaria—with the grandest and noblest part of the noble work of liberation which has been done without our participation, and with our hostility and displeasure. What are the points of objection taken by Lord Salisbury to the provisions of the Treaty with regard to Bulgaria? First of all, the extent of Bulgaria. I must say a word on that by-and-bye. Gentlemen opposite will admit, though I have troubled you and taxed your patience, yet on this particular subject I have not intruded much on you within the last few weeks. The first objection taken is the extent of Bulgaria. Now, the extent to which Bulgaria will be carried was substantially made known by the Russian Government to the Government of this country on the 14th of June, 1877. It was not contained in the original Memorandum of the 8th of June, but on the 14th of June it was made known. Lord Salisbury objects to the control Russia is exercising. I perfectly agree it would be very much better if you would make it a joint control as far as possible, but the completion of the work must appertain in a great degree to Russia. It has grown out of the necessities of the case, and it is impossible for Russia absolutely to withdraw without making some provision for the time during which the military occupation is to continue. The army of occupation, again, Lord Salisbury objects to, but an armed occupation was distinctly announced to the British Government on the 7th of August, 1877. It was distinctly stated that there must be an army of occupation in Bulgaria. And then, lastly, he makes complaints with reference to Armenia and other Provinces, and Constantinople. I agree that is a very fair subject for consideration at the Conference; but there are two sides to it, and there are also two sides to the question of the extent of Bulgaria. At the same time, I do not recollect to have seen a map of the Bulgaria proposed at the Conference of Constantinople, but I am inclined to believe that that Bulgaria was not materially different from the Bulgaria against which Lord Salisbury now brings this heavy indictment. Thessaly is another subject of complaint, but you were informed about the proceedings as to Thessaly on the 8th of June last year. The Emperor of Russia stated that the best possible regulations would be made for its regular administration, and that the European Powers should be parties to those regulations. How could he stipulate on the part of the European Powers what arrangements they would make for the government of Thessaly? This lamentable idea of the detachment of Bessarabia from Roumania was distinctly conveyed to you on the 8th of June—nine months ago. Armenia is another subject of horror and alarm, and forms a great count in Lord Salisbury's indictment. Now, I am determined not willingly to deviate from justice in this matter. I know what it costs a man if he makes a proposition. The cost of making any proposition is that a man is to have it cast in his teeth at the end of a long life by men of authority and rank as a Russian agent. I know that. Yet, in the face of that, I say here and now that as far as I can form an opinion —it may be erroneous or not—the stipulations of the Treaty of San Stefano in regard to Armenia are fair and moderate. But, whether they are fair and moderate or not, I can show that Her Majesty's Government were made privy to the whole of those stipulations which form the entire basis of the late inflammatory despatch of Lord Salisbury. How were they received by Her Majesty's Government in June, and again in August? Did they then consider that they threatened permanently to disturb the East, to set the several populations by the ears, to endanger the Suez Canal, and, in fact, to throw a vast portion of the globe in confusion? If so, why was there not a word of warning given? There is not one syllable of the kind in the despatches of Her Majesty's Government. Let us see how these terrible proposals of Russia were received by the Government. It is important in this controversy to bear in mind that Russia at the present time has concluded with Turkey—when within a few miles of Constantinople—a peace which, with the exception of the indemnity, is substantially the same, is based substantially on the same terms, as Russia announced to our Government in June and again in August, when the battle raged on nearly equal terms and before she had crossed the Balkans. I must say, I think, that in the case of Bessarabia Her Majesty's Government ought to have warned Russia. On some occasions they have said too much; on this occasion I think they said too little. There are objections to be taken to the Treaty of San Stefano, and it would have been a friendly thing on their part to have indicated to Russia that it would be their duty to object to some of those terms. However, on the 9th of June, a despatch was sent to Lord Augustus Loftus without one word of blame or of warning against those stipulations. I will make good what I say; I will show how these terrible propositions of Russia were received by Her Majesty's Government. I have heard Her Majesty's Government blamed for not publishing them in time, but I confess they could not have published them in time. There were objections to be taken to the Treaty of San Stefano, and that happened on more than one point, and it would have been a friendly act if Her Majesty's Government had indicated to Russia the probability that it would be their duty to object. They, however, indicated no such probability. On the 11th of June, Lord Derby wrote, saying he refrained at present from expressing any opinion on the terms proposed by Russia. A despatch was also sent in June to Mr. Layard with those terms without the least reprobation of them. In that instance I must say I think Mr. Layard might, if you had let him, have been of some use to the Government, because Mr. Layard wrote back the thunder and lightning despatches on this subject which figure in the Papers before us. On the 18th of June, Lord Derby says he does not understand that any expression of opinion upon the terms is asked from Her Majesty's Government. Lord Derby saw nothing in them to make it his duty to consult his Colleagues upon them. He only remarked that, under the circumstances, it was hardly to be expected that the Turkish Government would accept them. In July, when he had got all these dreadful propositions of Russia—all these horrible schemes for aggrandizement and absorption in his hands, Lord Derby writes that—

> "Her Majesty's Government receive with much satisfaction the statement that the Emperor has authorized Colonel Wellesley to say that he was ready to treat for peace if the Sultan would make suitable propositions."

Her Majesty's Government knew perfectly well then what the Emperor meant by suitable propositions, and they expressed their great satisfaction at hearing this. In the next paragraph Lord Derby said that—

> "Her Majesty's Government will be ready to use their influence in concert with the other Powers to induce the Porte to terminate the present disastrous war by acceding to such terms as, while they were honourable to Russia, would yet be such as the Sultan could accept."

But if the terms they had in their hands were in themselves mischievous and bad, was it right, was it natural, was it honourable, to keep the knowledge and description of them locked up in their own breasts, and never to give Russia any intimation of it? I charge the Government with no dishonourable motive in the suppression or omission of this information. My own impression is that at that time Her Majesty's Government probably thought these two things—first, that before long Russia, after all, must, in all likelihood, succeed; and, secondly, that, subject to discussion and adaptation in detail, the demands which Russia had sketched out were not unreasonable. But then, the whole of Lord Salisbury's despatch rests on a totally different basis. About the 12th of August, when they learnt that the Russians were to enter upon a military occupation of Bulgaria, Her Majesty's Government wrote—

> "That they received with satisfaction the statement made by the Emperor of the objects of the war, his disclaimer of any idea of an extended annexation, and also his readiness to enter into negotiations for peace."

They expressed their dissatisfaction at his disclaiming ideas of extended annexation, when they had in their possession the official declaration from him that he meant to re-conquer the piece of Bessarabia, and meant to have territorial compensation for Armenia! These are grave facts, especially taken in conjunction with what has since followed. Before Russia had crossed the Balkans she told you her intentions. You receive them again and again as they are unfolded to you—first in their main features, and afterwards with some supplementary points; you receive them with perfect complacency, and you never give her the smallest idea that you will object to a Treaty founded on that basis. She crossed the Balkans, and she crushed her enemies. You did not object to her terms before she crossed the Balkans, and now when she is satisfied with substantially the same terms as she communicated to you before she had crossed the Balkans, although she might have then raised them, you turn round and produce this despatch of Lord Salisbury's, making all these charges against Russia. For my own part, Sir, I must say that I do not know how the act of advancing these charges at this time is to be reconciled with our national honour after the reticence of the last six or nine months. I am sorry to have to say so, but I think it is better to speak out what a man feels than to produce it six or nine months hence. I can understand that at the time to which I am referring, and before Russia had gained some of her greatest successes, the remonstrances of Her Majesty's Government against these terms, if they had been made, would have been entitled to be listened to with great respect. The neutrality of England had been declared to be conditional. If you had wanted your remonstrance to tell, then was the time for making it. Therefore, whether on the ground of honour or of prudence, I am equally at a loss to reconcile the conduct that was then pursued with the course which we find pursued in Lord Salisbury's despatch. When I read Lord Salisbury's vigorous argument I confess it appeared to me that all this argument showed how imperative is the necessity for going into a Congress, and yet he chooses to make it a disqualification for not going into it. This appears to me to show what an immense responsibility is incurred by those who shall do anything to obstruct or defeat the Congress except upon substantial ground, and I will venture to say except upon grounds on which they have something like support from the other Powers of Europe. The Congress will have much to do with Bulgaria, and with regard to its extent, which will, I hope, not be reduced. Bulgaria might be a security against undue Russian influence, and Russia would find it easier to deal with a small than with a large Bulgaria. This is not the first lesson we have had on that subject. In 1858 I moved the Motion in this House for the union of the Danubian Principalities. It was then opposed by hon. Gentlemen opposite, who said—"Do not make a large Roumania, because if you have a large Roumania it will be under Russian influence," and so forth. Happily, in spite of their opposition, it was done, and you have now seen that in Roumania you have planted the true seed of national life, that Russia is not predominant, and that the principle of freedom and the desire for self-government are far stronger than any previous relations between the Principalities and Russia. In the same way, I believe, that though a large Bulgaria, with ports on the Ægean, might not be just to the Greeks, yet a large Bulgaria would be less in danger of coming under Russian influence than a small one. With regard to the Hellenic Provinces, they are now the scene of a bloody act. We see the absence of civil government; we see outrages, terrorism, carnage, and massacre; and a distinguished countryman of our own has unhappily fallen within the sweep of these terrible calamities. To the Congress alone you can look for the pacification of Thessaly. It is not in the power of Her Majesty's Government to pacify the Hellenic Provinces by their solitary action. For Heaven's sake, let us have done with these ambiguities! which the Chancellor of the Exchequer denounces, but which, when he is challenged, he declines to explain. I know not in the least degree what is the real point upon which you have come to a rupture with Russia. Do not let us have needless delays and difficulties as to the meeting of a Congress, the authority of which must necessarily be great. They have raised no preliminary question which ought not to have been raised till the Congress met; and if the Government wanted to throw away their chance they have taken the best method to destroy it. Now, we have the Straits to deal with, which, though it is not part of the present contention, is clearly part of the general settlement. There is another duty attaching to the Congress besides all these, and that is the sacred duty of watching sedulously and vigilantly over its whole proceedings against any invasion or disparagement by Russia or by Austria, united or singly, of those local liberties of the populations which are the only security you can take for a pacified and contented East. I will release hon. Gentlemen in a moment. I object to this resumption by Her Majesty's Government of the most unhappy and ill-starred system of solitary action which has been their bane all through. They began with it, and it seems as if they were determined to end with it. They began by objecting to the joint intervention of the Consuls in the Herzegovinian rebellion. They went on with it when they destroyed the Berlin Memorandum. They continued it when they released the Porte by their own communication from all fear of coercive consequences with respect to the Conference at Constantinople. Now again, instead of frankly referring to the other Powers that which they had to say with regard to the proper mode of carrying on the Congress, and thus putting down any pretensions of Russia to narrow its deliberations, they have, without the authority of any other Power in Europe, and after having distinctly rejected a most rational proposition of the German Government, taken the correspondence with Russia into their own hand and brought it to an untimely and unhappy end. Sir, the worse the Treaty of San Stefano, the more need there is for the Congress. I should have been better pleased if my right hon. Friend had pointed out what I think in fairness he ought to have done, that, so far from the Treaty of San Stefano being ushered in as a final settlement, it has been put into our hands with the marked and significant title of a preliminary Treaty. Sir, these are the reasons which compel me still very greatly to object to Her Majesty's Government's method of procedure—not uniformly, because I do not think the method of procedure is unform. We are told of the great difficulties through which the Government has to guide us—God grant that they may guide us aright!—but it must be by a better policy than the policy of the Government. If they do not so guide us, the historian, looking back upon this question with all its outs and ins—with all its zig-zag movements, will say that, though the subject was not without difficulties, yet there was a sufficient union both of interest and feeling to have made it practicable to attain a fair solution without disturbance and disquietude; they have chosen when there was a path along a plain, safe, and open country to conduct us along the very brink of the precipice. I shall be glad if they guide us safely along that brink, and if they do not get us any nearer than we are at present, though I perceive that we are a good deal nearer than we were four months ago. If Her Majesty's Government will consent to that which I really believe to be described in a few words of the despatch—if they will work for the ends of justice and of freedom—if they will be content so far to humble themselves as to work with Europe, and not without or against Europe—my belief is that they will receive the support of a united people, that they will earn the gratitude of a nation that is never slow to yield it, and that they will escape the immeasurable guilt of a causeless war.

SIR WILFRID LAWSON, in rising to move at the end of the Question, to add the words—

> "But that this House regrets that Her Majesty's Ministers have thought it right to advise the calling out of Her Majesty's Reserve Forces, considering that no great emergency has been shown to exist, and that such calling out of the Reserves is neither prudent in the interests of European Peace, necessary for the safety of the Country, nor warranted by the state of matters abroad;"

said, that no one felt more keenly than himself the importance of the question, but he feared that the temper of the nation was becoming more warlike. He felt it to be his duty to raise his voice in season and out of season against unjust and unnecessary wars; and he now came forward to prevent, if possible, the country from drifting into such a conflict. He desired to say that he alone was responsible for the Amendment he intended to move. If it came to any good, those who supported it would have the credit; if it came to any harm, he alone should bear the reproach. He and many other hon. Members could have wished that the noble Marquess at the head of the Opposition could have seen his way to move an Amendment to the Address. He knew, however, the difficulty with which the noble Marquess had to contend, and was not there to blame him. The noble Marquess had been "rattened" by a number of the Gentlemen who sat behind him. They had elected him as their Leader, but sought to make him their humble follower. The question they had to consider was, what was the reason for the warlike step on which the Government had determined? They had it on the high authority of the Secretary of State for India, that the desire to plunge the country into war was a criminal state of mind. He should not have gone quite so far; but, accepting the statement of the right hon. Gentleman, he could not but think, if such were the case, there were a great many criminals about. He very much blamed the conduct of the Government for the state of things which existed just now. It had created the "War Party," which consisted of medical students, Whitechapel roughs, and Lord Mayors. This War Party was openly encouraged by Leaders of the Government. When by force, they had broken up a public meeting, they proceeded to the residence of the Prime Minister, who thanked them for their patriotic conduct, and they then marched to the residence of the late Prime Minister, and broke the windows of his house. That was called patriotism, but, for his part, he did not consider it a very patriotic proceeding. He might say that at the outset many of his friends blamed him for the opinions he held on this Eastern Question. When Russia went to war, those who thought that the war meant annexation as well as emancipation, might not have been very far wrong. He could not concur with the right hon. Gentleman the Member for Greenwich that we ought to have joined in coercing Turkey by force. He believed in the doctrine of non-intervention, and could not understand how it was that when a case arose, advocates of non-intervention came to think it was an exceptional case. Far from blaming Her Majesty's Government for what occurred in the early phases of this matter, he admired Lord Derby's calmness and courage. Many of the despatches of the noble Lord were worthy of the dignity of a great nation, and he should always remember with pleasure that saying of his, that the greatest of all British interests was the interest of peace. But they had not the same Ministers now they had at the beginning of the year. Lords Derby and Carnarvon were gone, and Lord Salisbury, in whom they had all put their trust, remained; but he appeared to be absolutely mesmerized by the influence of the First Lord of the Treasury. The noble Marquess who had protested against the folly of fighting against a nightmare, who had told Russia that the best course she could adopt was to study a big map, had fallen from his high estate and issued a despatch full of the "balance of power," the "integrity of Turkey," the "eternity of Treaties," and all those fictions which had for centuries lured nations on to their ruin. The right hon. Gentleman the Home Secretary, whose speech last year was an epoch—a turning-point—on the Eastern Question, had also fallen away. They all remembered how he came down and in tragic tones and tremulous accents assured the terrified House of Commons that the Russians were advancing; but it turned out that they were advancing in due order and in the proper course of things. The Government had adopted what he might call a "nagging policy" towards Russia—never satisfied, always distrustful, always finding fault, always discovering some shade of unveracity. Last year the right hon. Gentleman the Home Secretary said that a lying spirit was abroad. Well, there was a lying spirit abroad, and it sent home a great many lies for home consumption. If the Russians were now and then unveracious, were our hands quite clean? In that House they were told on the first night of the Session that we had a Cabinet united on the Eastern Question; but now it was known there were the grossest and widest differences between them. Strict accuracy, indeed! Did they not hear that the Fleet was sent to the Dardanelles solely to protect British life and property, and were not the newspapers within three or four days declaring that the Fleet was sent out as a threat to Russia? Our policy towards Russia of late had not been a word and a blow, but a word and a threat of a blow. The Vote of Credit; was not that meant to be in the nature of a threat? Again, the presence of the Fleet in the Sea of Marmora was most dangerous. Apart from the question whether its presence there was or was not an infraction of a Treaty, he thought it could not be denied that the Government, in ordering it to go through the Dardanelles, had taken as rash, uncalled-for, and reckless a step as was ever taken by an English Government. It was precisely the same step as that which, according to Mr. Kingslake, had convinced the Russians in 1853 that England had a settled determination to humiliate them, and had rendered the Crimean War inevitable. The third step of the Government, which, as the right hon. Gentleman (Mr. Gladstone) had said, had led us nearer to the precipice, was calling out the Reserves. He understood that though the Chancellor of the Exchequer had made a very moderate speech, much more fiery language had been used. The Reserves had been called out, it was said, because there was an emergency. But that step had been announced last Thursday, and then put off for four days. Surely, if the danger was great, it was the duty of the Government at once to have taken the necessary steps for the protection of the country? Her Majesty's Government was a most extraordinary one, for when it had summoned Parliament it had made the announcement that they were preparing for an unexpected event. They would now go down to posterity, he believed, as the Government which had prepared for an unexpected event and postponed a great emergency. It was to his mind a humiliating spectacle to see free and prosperous England setting the example of arming to other nations, or taking part in a course of conduct which was turning Europe into a vast camp. What was it all for? He hoped at least before the debate ended the House would hear from the Ministry what it was proposed to do with the new iron-clads. He would like to know also who were going to assist us if we went to war; for any Government who went to war alone would be perfectly insane.

Were they going to fight along with Turkey? If they were it would only be on the understanding on the part of Turkey that she was to be reinstated as a European Power; and if we fought for the independence and integrity of the Ottoman Empire, Her Majesty's Government might be perfectly well assured that the whole country would soon join the right hon. Member for Greenwich in declaring that British blood and treasure should not be employed for any such purpose. Would France help them? No; for France was in a very different position now to 25 years ago, when a Despot was on the Throne, who found it necessary to bolster himself up by a military alliance with a free people. Was Germany going to help them? Why, the fact was, that Prince Bismarck was laughing with contempt at the feeble fidgeting of our diplomacy, and Germany was thinking—"What fools those Englishmen are to put their paws in the fire to pull out our chestnuts." Possibly Her Majesty's Government might secure Austria as an Ally, for that country was accustomed to do wicked things, and would probably be inclined to take almost any step that would promote her own selfish ends. But if Her Majesty's Government got Austria as an Ally, they would lose another ally in the shape of his hon. Friend the Member for Newcastle (Mr. J. Cowen), who had been all his life opposing such Governments. What were they going to fight for? He had understood that the Government would fight for nothing except "British interests." That was an elastic term; but he understood it to mean freedom, prosperity, and good government of all the nations of the world. If that were accepted as the definition, the Government would have no warmer supporter than himself. Even if the Home Secretary's definition of the route to India were accepted, he contended there was not a shadow of a reason for going to war. The Chancellor of the Exchequer, in referring to that matter, had said that he would not go into details as to the routes to India. But the whole question was whether those routes were in danger; and the Government had proved no such danger. As to the demand for the retrocession of Bessarabia, he would grant that it was a great injustice and a wrong on the part of Russia; but if this country were to undertake to redress every act of injustice or oppression which took place in the world, we should never be at peace. He was for protecting the 30,000,000 of people at home. Those were the British interests he wanted to look after, and if the House of Commons devoted itself to that it would do more good than by interfering in any foreign quarrels. He should be told that was a policy of isolation, and everyone just now was terribly afraid of that new word, but he should not at all object to isolation from all the Governments of Europe in any of their cruel enterprizes. He would rather have isolation than a declaration of war. That, he supposed, would be called cowardice, for it seemed to be considered that everyone was a coward who did not want to kill other people. He thought, however, that the cowards were the writers in the newspapers who sat in their club rooms, and hounded on their fellow-countrymen to slaughter and death. More than that, he contended that there was something cowardly in the Members of the House of Commons sitting there to vote the money of other people, that they might go to be killed, while they themselves intended to live quietly at home. From all parts of the world the cry arose that we ourselves were the greatest of freebooters. There was no clime in which, in former days, we had not taken possession of and annexed countries. And now, should we, the Pharisees of Europe, having done all this, stand up and say—"We thank Heaven we are not like this Russian?" To do so would be a pitiable exhibition of hypocrisy. It had been said lately that one nation might annex the Transvaal, whilst another might not look over the Balkans. Were we going to fight because we could not make suitable arrangements for holding the Conference? He confessed he could not understand what was the real point in dispute—it seemed to be whether the Treaty should be laid on the Table or laid on a chair. If there were all these difficulties in arranging what was to be done at the Congress, it was clearly the duty of the Government to agree to the preliminary Conference proposed by Germany, and their refusal was quite sufficient to condemn them. He supposed we were to fight about a question of phraseology. There had been wars for an idea, for plunder, and for defence; but was it reserved to the Government of this Christian nation in 1878 to go to war for the sake of mere phraseology, and to take steps which would lead to the deluging of Europe with blood? It was said that there was no immediate danger of war; but on this point he could only re-echo the words of the right hon. Member for Greenwich, and say that all these steps — these steps of bluster, which might be mere brag—were leading us daily nearer and nearer to the precipice, and must at length plunge us into war. This was a pitiable state of things. We had all read something about the paths of honour; but the path we were treading was to offer to Russia a petty, paltry, and pitiable provocation, which was unworthy of the British nation and of the Government which led us. We had called out our Reserves; and he believed that last Sunday, when the people went to hear the words of peace and goodwill, they saw on the church-doors the summons calling them to bloodshed. It now remained for those who deprecated the course taken by Her Majesty's Government to call out their reserves, in the shape of the common sense, the common humanity, the common honesty, and the common justice of this country, to save, ere it were too late, this nation from the commission of a senseless and a stupendous crime.

Amendment proposed,

At the end of the Question, to add the words "but that this House regrets that Her Majesty's Ministers have thought it right to advise the calling out of Her Majesty's Reserve Forces, considering that no great emergency has been shown to exist, and that such calling out of the Reserves is neither prudent in the interests of European peace, necessary for the safety of the country, nor warranted by the state of matters abroad."—(*Sir Wilfrid Lawson.*)

Question proposed, "That those words be there added."

Sir WALTER B. BARTTELOT observed, that all hon. Members who addressed the House on this question must feel the momentous character of the issues which were raised by it. Hitherto he had not said one word upon the Eastern Question, because he felt that Her Majesty's Ministers had a very difficult and delicate duty to perform, and that they were acting under a sense of grave responsibility, and that they should have full confidence and trust reposed in them while they were discharging that task. He had listened with marked attention to the eloquent speech of the right hon. Member for Greenwich (Mr. Gladstone), and he must say that he should have been better satisfied if that right hon. Gentleman had concluded his speech with an intimation that he thought it right not to offer any opposition to these measures which Her Majesty's Government had considered it necessary, in the best interests of this country, to ask Parliament to adopt. Let them look at the position in which the right hon. Gentleman the Member for Greenwich and his supporters would have been placed if they had been in power now, and had been asked to tear up the Treaties of Paris and of London, which they had been mainly instrumental in drawing up. Would it have been so certain they would have been able to have kept the country out of war—would it not have been more probable they would long ago have been forced into war? One thing was quite evident—that up to the present time Her Majesty's Government had completely succeeded in keeping us out of war; and, in his humble opinion, we were not likely to go to war in the near future, because he believed that by taking these proper measures of precaution Her Majesty's Government were more likely to keep us out of war than by sitting still and letting matters take their chance. The proposal of the hon. Baronet the Member for Carlisle, if adopted, would tend to the degradation and the humiliation of this country. While agreeing that it was not desirable to re-establish the Turkish Empire on its old footing, he could not help regarding this Treaty as an Act of spoliation in favour of one country alone. Russia had declared that her only object in going to war was the amelioration of the condition of the Christian populations of Turkey, and, according to universal admission, she had not treated those populations fairly. They knew that the object of Russia was to become dominant in New Bulgaria, and that Greece was to be excluded from the exercise of all influence at Constantinople. If this Treaty was carried out, what was to become of Bosnia, Herzegovina, Epirus, and Thessaly? And what would the position of Turkey be, having to pass through a hostile Bulgaria when she wanted to get to her Northern Provinces? He had no hesitation in saying that our Government, knowing in June last what the terms were that were to be asked for by the Russian Government, ought to have said—"If you occupy Adrianople the Turks must be hopelessly beaten, and you must make Peace there; but if you advance beyond Adrianople we shall occupy the lines about Constantinople, as well as Gallipoli and the Boulair lines." The Russians had, however, now advanced to the gates of Constantinople. These considerations demanded that every portion of the Treaty should be examined, and that the claims of Greece should have fair consideration. He thought the course of the Government was plain. They had decided to call out the Reserves, not for the purpose of war, but for the purpose of being prepared if an eventuality should arise that might lead to war. He was glad to see the right hon. Gentleman the Member for Birmingham (Mr. John Bright), because he honoured the principle which that right hon. Gentleman had always advocated with regard to the Crimean War and to this war. But he should like to ask him plainly, whether he did not think the whole country was against him with reference to the Treaty of San Stefano? He believed the right hon. Gentleman was of opinion that that Treaty should be altered, but that he was against going to war to compel an alteration of it. The only way to deal with a Power like Russia was not to ask her to do a certain thing, but to show her that we were prepared to take action in case of necessity. He ventured to hope that peaceful councils might still prevail. Some hon. Gentlemen always talked about the isolation of England, and expressed their anxiety that she should cooperate with all the Powers of Enrope. No one was more anxious than himself that she should do so. But things had changed since 1870. We were, he might say, almost the only nation that could inaugurate a movement against Russia, and if we took that course no doubt other Powers would come forward—and had already come forward — to cooperate with us. He hoped that we should be able to keep in check the designs of Russia, whose aim and object had been for generations past to obtain Constantinople for her own. In calling out the Reserves, it was, as he had said, not necessarily war, but to test whether our present military system was a good one, and that we could depend in moments of danger or necessity on obtaining the force that the Reserve was intended to create. While we prayed for peace, we might be forced into war; and he was sure that if such a fate was in store for us, we should be able to maintain those great and historic interests that had been handed down to us from our ancestors.

Mr. GRANT DUFF said, that the situation in which the country was placed was a great deal too serious to allow anyone to treat it in a Party spirit, and he need hardly say that he had not the remotest intention of doing so. On the contrary, he thought that the task to which we should all set ourselves was to help those who were at present charged with the affairs of the country towards wise decisions. In order to effect that, we must know in what direction they were going to move, and the few remarks which he proposed to make would be directed to try to obtain as clear an answer as circumstances would permit to the question—What was their policy? The only indication of their policy, which we had had for some time past, was contained in the Circular Despatch of Lord Salisbury, an extremely clear and well-written document, which showed, as other documents from the same hand had shown, that it was not for nothing that its author graduated in the school of the English Buloz—the late Mr. John Douglas Cook. He could not, however, assert that he found the contents of that document quite as interesting as its style, and he agreed, indeed, with an observation that had been made about it—that it would have been an excellent report on the situation if it had been made by his secretary; but that it was in no way the kind of despatch one expected to see signed by the Secretary of State himself. It set forth no policy, and hinted no policy. It showed, indeed, that the writer would like to return to the position of affairs which existed before the Constantinople Conference; but that was not a policy, it was a mere feeble velleity. When the Government took the unhappy step which had brought them on to that shifting sand, they ought to have known that they were abandoning the right of initiative which they had had up to that moment, and were putting their policy at the mercy of events which they could not control. He knew it would be said that that step had been very generally approved by many persons in the Party to which he belonged, but he differed from them on that point. "*Amicus Plato magis amica veritas.*" Now, the position of Her Majesty's Government, before they went into Conference, was this—they had, after some demur, adhered to the Andrassy Note. They had done this with the support, not only of their own Party, but with the support of Lord Granville, who held the Seals of the Foreign Office when their Opponents were in power. By that Act, and others to which he need not allude, they had expressed their opinion that immense reforms were required and ought immediately to be carried into effect in the government of Turkey; but they had done nothing to detract from the position of the Sultan as a weak, but still independent Power. The *status quo* was maintained in essentials, although in some respects modified. Further, they had declined to accede to the Berlin Memorandum, and this they had done likewise with the assent of Lord Granville, expressed in his place in the House of Lords. Although, then, a vast amount of angry clamour had been directed against them from various quarters, they had a right to say, at the end of the Session of 1876, that their Eastern policy had been acquiesced in by the most authoritative exponent of the views of their adversaries as to questions of foreign affairs. Then, however, broke forth the agitation about the Bulgarian massacres, and that agitation, and the circumstances which led to it, produced, it was clear, a considerable effect as well upon the Government as upon the Opposition; for Lord Derby's despatch was at least as much stronger in its condemnation of an independent Power than most diplomatic documents, as the pamphlet of the right hon. Member for Greenwich was than most documents which he (Mr. Grant Duff) recollected to have been produced by a leading Member of the Opposition. Meantime, the German Government had taken up this attitude. It had said—"You have not seen your way to adhere to the Berlin Memorandum, which seems to us, on the whole, the wisest step to take at the moment we took it. What, then, have you to propose? We will agree to anything in reason." It was evident then that, at that moment, the Cabinet of St. James's, if it had known its own mind, was master of the situation. It could have taken either of two diametrically opposite lines. It might have said—"Badly as the Turk has behaved, we will be no parties to interfering with his independence. We have spoken our mind to him as distinctly as one Government ever spoke to another, but further we will not go, or encourage anyone else to go. If Russia thinks fit to go further, we shall act as we deem best, but we take our stand upon the *status quo*, as modified by the Andrassy Note." That was one course. He did not say it would have been a right one, but it would have been intelligible and logical. On the other hand, Her Majesty's Government might have taken a precisely opposite course. It might have argued, after the publication of the pamphlet and the speech of the right hon. Member for Greenwich, that if we took our stand on the *status quo*, and broke off all negotiations with Russia, which had reference to Turkey, sooner or later we might have to go further and assert our views by force; but it was idle for an English Government to dream of going to war in the teeth of a very large and active minority of its own people, and they would be blind, indeed, if they did not see that the pamphlet and the speech of the right hon. Member for Greenwich, whether they were wise or unwise, represented the views of an extremely powerful minority. Might we not all, then, have assured British interests, saved the Turk from great calamities, and conferred immense blessings upon all South-Eastern Europe, by recognizing that on us was to come the hard necessity of dealing with that terrible question of Constantinople, which had been so long the nightmare of statesmen? If Her Majesty's Government had come to this conclusion, and had grasped the whole European situation, it would have tried whether it would not have been possible, in concert, especially with Germany, to arrive at some arrangement for the future of the Balkan Peninsula, which, while it gave all that Russia had a right to ask, guaranteed civilized government to the populations of the Balkan Peninsula, recognized the fair claims of Greece, assured the Mussulman inhabitants of those countries of perfect protection, safeguarded the interests of Austria, and made, in short, the arrangement that would be the least inconvenient to everybody concerned. He did not believe that it would have been impossible to arrive at such an arrangement, which would have saved a most enormous expenditure of blood and treasure, and prevented not only many evils that were past, but many that were yet to come. But nothing of the kind was attempted. The Cabinet thought it consistent with their honour and duty to float feebly on the surface of events, not mastering them, but mastered by them. Thus it was that they allowed themselves to drift into the Conference, which ended in nothing, and enabled Russia comfortably to tide through the bad weather, and arrive at the season of the year that was favourable for moving her armies. When the war had broken out, the Government, as he thought, once more fell into a good, though certainly not a glorious, line of policy. They maintained an attitude of absolute neutrality, and said they would maintain it till British interests were threatened. Nothing could have been better under the circumstances. They had missed, as he believed, in the autumn of 1876, a great opportunity, and there was nothing to be done in the summer of 1877, but to watch events. It was something, and something considerable, for a Government to be able to say—"We admit that we have not been able to do anything great in the East, but, at least, we shall keep the country out of the war, unless, and until, circumstances arise which will make the vast majority of Englishmen desirous to take part in it." That reasonable, if not very magnificent policy was pursued till Plevna fell; but then commenced a series of small, fussy, meaningless acts, which were fresh in the memory of them all, and which had ended in depriving Her Majesty's Ministers of two of their ablest Colleagues. The secession of the second of those Colleagues seemed to have set free the hands of Ministers, for we had immediately thrown at us the Circular Despatch, which was apparently intended to be a new departure. We heard nothing in it of "British interests" or neutrality. The question was raised to a higher level, and Her Majesty's Government once more appeared as a great European Power, claiming to have a potent voice in the re-settlement of South-Eastern Europe. He wished that they had never abandoned that attitude; but, as they did abandon it, it seemed to him difficult beyond measure for them to return to the point where they missed the right road. We were told, in that document, that every material stipulation which the Treaty of San Stefano contained involved a departure from the Treaty of 1856. The writer of the despatch objected to the Russian character of the New Bulgaria, to the Russian colour to be given to the improved institutions of the population of Thessaly and Epirus, to the engagements for the protection of members of the Russian Church, to the territorial severance of the Provinces left to the Porte in Europe, to the compulsory separation of a portion of Bessarabia from Roumania, to the extension of Bulgaria to the shores of the Black Sea, and to a great variety of other things. Well, but, if the Government were going, at the end of the war, to take up this kind of attitude, why, in the name of wonder, did they not announce it long ago? For his part, Russia, who was told for so many months that we cared for nothing but "British interests," had surely been rather hardly used. What had "British interests" to do with the great majority of the stipulations of the Treaty which were impugned? He wished not to be misunderstood. He objected to a great many of these stipulations; but then he never agreed with Her Majesty's Government in thinking that we had no duties to discharge in South-Eastern Europe, except to protect "British interests." He would, when we came to "the parting of the ways" in the autumn of 1876, have insisted, either on the maintenance of the Treaties made 20 years before, or on a new order of things being put in place of those Treaties, by virtue of a European arrangement. But Her Majesty's Government turned its back upon the Treaties of 1856, and proposed nothing in their place. They had now, however, if that Circular Despatch was a new departure, and not one more mistake, seen their way to return to the position of claiming a right to have a potent voice in the re-arrangement of South-Eastern Europe. He gave them joy, for it was a great deal better to be wise than consistent. What, then, was now their leading idea? He did not ask for details; but their constituents, who paid the greatly increased taxation which their policy, or want of a policy, had rendered necessary, had a right to ask for some sort of general notion as to the objects for which their money was to be expended. What, in short, were they driving at? Did they think that the prosperity of South-Eastern Europe could be assured by leaving all its Provinces, or any of them, under the Turks? If they did, he replied that it was too late. There was a time when, by a wise application of diplomatic pressure, that might have been done; but that time had gone by for ever, and the curse of history lay at the door of those whose negligence omitted to apply that pressure, and brought upon the world the horrors we had been witnessing. He would not, for a moment, imagine that the Government had any such idea, if it were not for some unlucky expressions in the despatch. We read, for instance—

> "Large changes may, and no doubt will, be requisite in the Treaties by which South-Eastern Europe has hitherto been ruled."

Large changes! He should think so! Had the writer been spending the last two years in the cave of the Seven Sleepers?

> "Totius rei fontem atque caput ignorat,"

one was almost inclined to say. He and his Colleagues had stood by while the Ottoman Empire in Europe had been mortally wounded, and they did not seem even to have found it out. It was no question now of a "Sick Man," whose health was to be watched, and whose heritage was to be kept for his natural heirs. They had to deal with a man in the last gasp, in whose house those who were not his natural heirs had got a footing from which it would be very difficult to dislodge them. If the policy of Her Majesty's Government was to try to give good government and freedom under the Porte to these Provinces, it seemed to him that they were possessed with the wildest dream that ever misled statesmen. Or, if that was not their idea, was it to enlarge Greece, and try to re-create in that way the Eastern Empire? He hoped not. That idea had had its advocates of late among English politicians, but it seemed to him an altogether mistaken one. He should like to see Greece increased by the addition to it of any purely Greek districts upon the mainland which were conterminous with it, as well as by Crete and a number of the other islands; but his notion of the future of Greece would be that it should listen, as did Greece of old, as much as possible to "those two old voices of Liberty—the voice of the mountains and the voice of the sea," that it should remember as much as possible its pre-Roman, not its post-Roman, day; that its dreams should be of resuscitating Athens, not of reconquering Byzantium. If it was attempted to set up Greece against Slavonia in the Balkan Peninsula, that attempt would perish and come to nought. It was the same attempt to fight against the nature of things which was made by the present Secretary of State for Foreign Affairs and others in 1864, when they tried to set up Denmark against Germany, an attempt on which destiny stamped with an iron heel, as it had done, by the way, on most of the non-Indian hopes and projects of that noble Lord since first he entered public life. Or was the idea of the Government merely to pare down in a feeble way the provisions of the Treaty of San Stefano? He, for one, heartily hated the whole scheme of that Treaty; but the notion of spending British gold and British blood to carrying into effect peddling objections to it was altogether abhorrent to him. The whole scheme of the Treaty was devised in pro-Russian and anti-West-European interests; but no sort of good could be done by amending it in detail. Or, if none of these hypotheses as to the policy of the Government were correct, could there be any sort of truth in the rumour of an alliance with Austria, and of a desire on the part of that Power to extend itself down to the Ægean at Salonica, and to rule the whole of the western half of the Balkan Peninsula? He knew that that idea had partizans, and influential partizans, at Vienna. But could it have prevailed, even at Vienna; or, if it had prevailed there, could it possibly have prevailed with Her Majesty's Government? Of course, if Austria were a homogeneous body like France, much worse arrangements might be devised; but the very first effect of such an arrangement would be to upset the whole system of policy under which Austria had been living since 1866—a policy which, if it had not given the Empire prosperity, had, at least, given her much more peace than had fallen to her lot during the 18 preceding years. None knew better than the wiser inhabitants of Austria themselves that Austria was a reed on which no man could lean without having his hand pierced. That they should do all they could to uphold Austria as a most useful member of the European system he most earnestly believed; but he deprecated their attempting to build any large scheme of policy on the duration of Austria. Or again, if none of these ideas was the *mot de l'enigme* of the Government policy, was it conceivable that they should see their way to erecting in the Northern half of the Balkan Peninsula a powerful civilized State, with its centre at Constantinople? On that idea, which he had put forth in many ways and many places, he would not now dwell; because he thought it was far too good to be hoped for under those who at present guided our affairs. They rejected it when it was comparatively easy of accomplishment, and were not likely to take it up now. Or were they to see all questions as to the final adjustment of affairs in the Eastern Peninsula adjourned to a more convenient season? Were they going to do that to which their military preparations — which seemed destined rather for small than great operations—appeared to point? Were they going to say—"We don't recognize the Treaty of San Stefano; the Russians may stay where they are if they please; but we shall seize Gallipoli and one or more islands, and perhaps a harbour in Crete, and encourage the Khedive by a promise of our protection to break off all connection with the Porte, if, indeed, we do not insist on his accepting our control instead?" Well, by these steps "British interests" would be safeguarded, and more than safeguarded, and the right hon. Gentleman opposite (the Chancellor of the Exchequer) knew as well as he did that it was absolutely within the power of the Government at that moment to take those steps with the acquiescence of the most powerful of European States. Well, but if only those steps, or a fraction of those steps, were what they had got in their mind, why that Circular Despatch? The old cry of British interests, of which we heard so much in the five nights' debate of last year, was quite enough to lay a foundation for such a policy as would be carried into effect by those steps. To write that tremendous Circular, opening out the whole Eastern Question with a view to taking those steps, was like cracking a nut with a Nasmyth's hammer. Or lastly, was the House to think of this great despatch that it was, as someone said of its author the other day—"a lath painted to look like iron?" Were Ministers still floating feebly on the surface of events, paralyzed by fear of Germany's intentions—the offspring of the most blessed ignorance of that country in its past, in its present, in its hopes and fears and tendencies—which had been the key to so many of their errors in the past two years? He trusted that the despatch was really iron, and not lath—that England's policy was not going to be as feeble in the future as it had been in the past. He trusted it was a new departure, and that Lord Salisbury, whose Indian policy had been respectable, was anxious to prove that he could be, for once, right in a non-Indian question, and unaided by a council of experts; but he repeated, that the despatch might be laying the foundation for a variety of different policies, and he wanted to know not only where they were, but what, as a nation, they were to be asked to do under these circumstances? He hoped everything, but he feared much; for, whereas his notion of the way in which the settlement of this great European Question should be approached by an English Minister, might be summed up in the words—

"Sine Germaniâ nulla salus,"

he saw the Seals of the Foreign Office in the hands of the man who had been hitherto, of all English statesmen, the most consistent and bitter enemy of Germany. That could not be said of the Chancellor of the Exchequer, and he hoped that the influence of the right hon. Gentleman would be sufficient to neutralize that very mischievous policy. He trusted, after listening to the speech of the Chancellor of the Exchequer that evening, that it was his more conciliatory temper which was to prevail in their policy.

Mr. GOLDNEY said, the affectation of the last speaker, in pretending he could not tell what policy the Government had, was ridiculous. It was a policy which they had announced from the beginning of these transactions—namely, neutrality, which, although sometimes praised and sometimes blamed, had been adhered to with the strictest fidelity. The Government had announced from the first, that unless British interests were interfered with, and the signatories to the Treaty of 1856 were consenting parties, that neutrality would be observed. By the Treaty of 1856, Russia agreed that no action should be taken as to the integrity of Turkey without the assent and consent of the other Powers. In 1856, just after the Crimean War, when portions of the Russian territory were in the hands of the Allies, preliminaries of peace were entered into at Vienna, subject to a Conference which afterwards met at Paris. Count Walewski, its President, stipulated that the Treaty should be taken item by item, and each considered, discussed, altered, passed, and finally adopted. That was agreed to and acted upon; and Her Majesty's Government, on the present occasion, while asking for no more in reference to the Treaty of San Stefano, felt that they would not be justified in accepting less. It was the fashion to accuse the Government of being averse from the Conference, but they had done all they could in its favour. On the 7th of March it was proposed by the Austrian Government, evidently after communication with the Russian Ambassador at that Court, to hold a Congress at Vienna, at which all questions of the peace shortly to be concluded between Russia and Turkey should be considered. Our Government immediately assented. A question was raised as to the place of meeting, and Baden-Baden was proposed, to which our Government at once acceded. Shortly afterwards it was proposed to be held at Berlin, and our Foreign Minister again wrote to say that he saw no objection, if nothing was to be considered as acknowledged and valid without the assent of the Great Powers; and, up to the 16th of March, when Prince Gortchakoff began to introduce novel conditions, no difficulties existed. It was evident that what Russia had won by the sword she intended to keep by the sword, and she desired in entering the Conference to retain a power of vetoing any discussion upon such stipulations of the Treaty as she might think fit to regard as final. Was it possible for a great Power like England to enter on the Conference under such conditions as that? He contended that Turkey was not a free agent when she signed the Treaty of San Stefano. If hon. Members would look at the map, they would see that there was scarcely a single point of the Treaties of 1856 and 1871 that this recent Treaty between Russia and Turkey did not violate. By the later instrument, it was agreed between the signatories, that no alteration of a Treaty was to be effected without the concurrence of all the parties signing it; and yet, in the face of that solemn international engagement, Russia, by the Treaty of San Stefano, had sought to set aside nearly all the fundamental provisions of the Treaty of Paris. Russia had attempted to create a New Kingdom of Bulgaria, extending far beyond the limits of Bulgaria, and embracing a large population of the nationalities other than Bulgarian. The Prince of this New Province was to be elected with the approval of Russia, the territory was to be occupied by Russian troops for two years, its laws and its course of government were to be framed by Russia, and in fact it was to become a Russian Province. Russia further stipulated that the port of Batoum, in the Black Sea, was to be ceded to her, which would give her the absolute control of our commerce with Persia, the value of which exceeded £4,000,000 per annum. Then, again, Russia demanded that she should have the control of the mouths of the Danube placed in her hands by the cession of Bessarabia. The result of the recent Treaty would be to create a dominant Power in Europe, which must be injurious to European nations as a whole, but especially so to England. The demand of the Government, under these circumstances, was that the whole of the new Treaty which was to abrogate the old should be submitted to the Congress. That demand was, in his opinion, perfectly reasonable, and was more likely than any other course that could have been adopted to preserve peace. Her Majesty's Government had adhered in this proposal to the course of policy they pursued throughout — that of preserving a strict neutrality on condition that Russia carried out her portion of the contract. If England had not continued its refusal to aid Turkey, Russia would never have been in the position to enforce the terms of the San Stefano Treaty, which he hoped the Congress would show she had been unwise in putting forth. He should be sorry to see the House divided at a time like the present, but hoped that a gracious answer would be unanimously returned to the Crown on this occasion.

Sir GEORGE CAMPBELL said, his sympathies were with the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), but he regretted he could not give him his vote. He had the strongest objections to what had been done in calling out the Reserves, but he objected rather to the manner of doing it than to the measure itself. He voted against the Vote of Credit, from its being a dangerous Vote; but when £4,000,000 of that sum had been spent in warlike preparation, it would be hardly consistent to refuse the men when they were really wanted. They must then make use of the materials, and the cost of the men would be, comparatively speaking, not great. The Government must not suppose, however, because they had flourished their trumpet and called out the Reserves, that this country was a great military Power. He thought it right to warn the Government that they must not trust to India for a great addition to our Forces. Some had said that 300,000 men could be got from India, some had said 80,000, and some had said 50,000. He believed he would not be contradicted by military men, who knew more of the matter than he did, when he said that even 50,000 could not be got from our present Forces in India. The Native Army was not as large as was supposed. Perhaps 20,000 or 30,000 of that Army were fit for war in Europe, and more might be raised; but it would be a very dangerous thing to employ large numbers of Indian troops in war in Europe, and then send them back to India. If that were done, an addition would have to be made to the Native Army, which would embarrass us in several ways. He had placed an Amendment on the Paper, which, however, he could not propose to the House; but, nevertheless, he would read it as showing his view upon the question. He had proposed, instead of the Amendment of his hon. Friend the Member for Carlisle, to add to the Motion for an Address, the following:—

> "And humbly praying that Her Majesty will accept the Preliminary Conference proposed by the Government of Germany; and, while abstaining from any isolated action in a matter in which this Country has little direct interest, will intimate to the other European Powers that Her Majesty's Government is prepared to support them in any concerted action which they may take to resist the act of undisguised perfidy and spoliation which the Russian Government has threatened to perpetrate on Roumania."

He thought it was most extraordinary that Her Majesty's Government should have refused to accept the rational and common-sense suggestion of Germany that they should have a Preliminary Conference of second or some other Plenipotentiaries, to talk matters over and see if there was any substantial difference between the Russian and the English positions in regard to the holding of the Congress. He could not understand why our Government should have cried off and declined, a proposal dictated, as he believed, by an honest desire for peace. Our Government, like the boy who refused to go into the water because he had not learned to swim, had refused to go into the Congress until they were quite sure that they were agreed with Russia as to what questions should be discussed by the Congress. While he was opposed to an isolated policy of hectoring other Powers and riding the high horse, he was equally averse from our wrapping ourselves up in a selfish isolation which refused to join in protecting the weak against the strong. He hoped the time was not far off when Europe, as a *quasi*-confederation, would come together to decide disputes arising between different States, and would also enforce its decisions. He thought that the Conference of Constantinople ought to have enforced its decision upon Turkey, and that as the Conference had failed Russia was justified in making war. The Treaty which Russia had extorted from Turkey, he regarded as for the most part just and fair, although, no doubt, there were points in it to which objection might be taken. Her Majesty's Government ought not to have denounced that Treaty as a whole, as they had unfortunately done in a despatch bearing the name of Lord Salisbury; but which he was convinced, from that noble Lord's conduct at the Conference of Constantinople, was not his composition, but perhaps that of a higher Member of the Cabinet. Inasmuch as Russia, in June last, announced almost in so many words her intention to regain Bessarabia, if Roumania had consented to that transfer we could hardly have objected to it. But we knew that Roumania appealed to Europe against the transaction; while Russia threatened not only to take Bessarabia by force, but threatened, if Roumania would not allow her troops to go through that Principality, to disarm and destroy it. The present Emperor of Russia had done good service to humanity; but he should be taught that on that matter his personal wishes in regard to the honour of his father or himself could not prevail against the feelings of 500,000 Roumanians, who ought not to be denationalized and transferred to another country against their will. That would be a very great wrong; and, although he was not so Quixotic as to wish that our Government alone should right it, yet he was slow to believe that Germany, which was largely interested in the mouths of the Danube, would not desire to prevent the perpetration of that wrong. A war against Russia, waged by us in alliance with Austria, would be a war in which we might be called upon to make immense efforts, very injurious to us, and ending in objects that would not be ours, while we might not obtain the support we expected from that military Power. With regard to the limits and the population of Bulgaria, the right hon. Member for Greenwich (Mr. Gladstone) seemed to think that the Bulgaria proposed to be constituted by the present Treaty was not larger than that which was proposed by Lord Salisbury in the Conference of Constantinople. From careful inquiry, he might say that, to some extent, this statement was incorrect, and that the Bulgaria now proposed was considerably, though not very, much more extensive than that projected at the Conference. Russia, being isolated, had made Bulgaria too large, leaving room for snippings and cuttings. It was not the case that there were no Bulgarians South of the Balkans. The ancient capital of Bulgaria was in that part, and the Bulgarians there were to the Greeks as six or seven to one. There was no reason why Bulgaria should not be extended to the Ægean, and if she had a port or two on that sea, she would be brought into commercial relations with England. But the settlement of Bulgaria was expressly reserved for the consideration of Europe, and, consequently, no injustice had been done. He could not discuss fully so large a subject as Armenia; but it was his opinion, on the whole, that Russia had been tolerably moderate in annexing Kars and Bayazid, provided that she did not claim a protectorate over the rest of the country. The Persian trade through Trebizonde had been gradually dying out, and it now went through the Suez Canal, the Red Sea, and the Persian Gulf. Whatever we did, he trusted that we should not take any of the islands as a military or naval station. He regretted he was not able to move the Amendment of which he had given Notice; but if the Government would accept the first part of it, he would reserve the second half for a confidential communication at another time.

Colonel BARNE contended, that it would be very much better to have Austria as an Ally than to go to war single-handed. Indeed, Austria was our only possible Ally amongst the Great Powers in the present state of Europe, and it was, to say the least, impolitic, to abuse and disparage her. The plain facts of the case were that Russia was already virtually in posession of Constantinople, and of other territory in which it would be impossible to allow her to remain. Clearly, if the Treaty of San Stefano were to be carried out, she would remain in Bulgaria for two years; but we had no guarantee except her pledge that her stay would not be longer. Russia was not a Power to be trusted, especially considering the manner in which her solemn pledge respecting the annexation of Khivan territory had been disregarded. Her Government respected Treaties only as long as the signatories were able to enforce them, and her conduct in 1871 was the proof of that statement. How, again, could we trust a Power so deceitful to Roumania, and which, after using her to the utmost—for the Roumanians saved the Russians a heavy reverse before Plevna—turned upon her to take away her territory? The truth was, that the Treaty of San Stefano was fraught with great danger to England, both in Europe and in Asia, what was to prevent in another 10 years the Russian game being repeated, and rebellions springing up among the Christians in Asia Minor. It appeared to him that, sooner or later, we should be driven to fight Russia, and that we were in a better position to do so now, after her severe losses of men and money, than we were likely to be 10 years hence. At present, we should be able to enforce our demands, for, whatever might be the inclination of the Turkish Government, the Turkish people would not go against us, and the Turkish soldiers, led by British officers, were the best in the world. They marched for ever, required much less to eat than British soldiers, and, in the cause of their religion, rather liked being killed than otherwise, as they believed they went straight to Heaven, and had beautiful houris at their disposal. In a war against Russia at the present time, they could get any number of Indian Mussulmans, than whom there were no finer men, and under British officers they would be equal to any number of Russians. If they now had to go to war, they should encounter Russia near Constantinople, and it was not likely that Austria would stand quietly and look on, seeing that she could not allow the mouths of the Danube to become Russian property. We could now, therefore, not only hold our own against Russia, but drive her to the Arctic circle, which was her natural home. In the future, it appeared to him, that it should be an essential part of our policy not to allow Russia to advance any further in Central Asia. At present, the Russian boundary was not more than 240 miles from our Indian Frontier; and, though it was a 240 miles of mountains and valleys, the distance was so short that, in the event of war, Russia might threaten us in India while we were fighting her in Turkey. We should also prevent her gaining any greater influence in Persia, as Persia constituted one of the best approaches to India, and Russia might in that way threaten us most seriously in India. What we wanted was to prevent Russia becoming too powerful in Europe, and, by overawing the European Powers, seize Asia Minor, march down on the Suez Canal, and so cut our Empire into halves. The best thing we could do to prevent such a proceeding would be to seize on Gallipoli, which we could hold against all the world. He hoped, therefore, if we were to have war, the Government would, as their first step, seize on Gallipoli.

Sir H. DRUMMOND WOLFF said, he hoped that the present crisis would be met by the united front of a united Government, an almost united Parliament, and, as he believed, by a united country. But of one thing he was certain, that whether the Government and the country be or be not united, the House was with the Government in the opinion that great questions were not to be decided on the principles of the Permissive Bill. The right hon. Gentleman (Mr. Gladstone) had seriously attacked the despatch of Lord Salisbury, and had bestowed the whole of his praise for conscientious dealing on those two Ministers who, having unfortunately great sympathy with himself, had retired from the Government. He believed the despatch of Lord Salisbury had done more to preserve the peace of Europe and protect the interests of this country than anything which had happened during the last 14 years. We had no longer a Minister who had told us in 1875, three months after the insurrection had broken out, that we should hear little more of it, and that our interests lay rather in China than in Turkey; who, in 1876, had informed us that Russia could not go to war on account of financial difficulties; a Minister, who was the intimate friend and associate of the Russian Ambassador, and who had told the right hon. Member for Birmingham (Mr. John Bright) and a deputation of his Party, that they were his employers, and from them he received his instructions; a Minister, who in that House, was obliged to shelter himself under the wing of the hon. and learned Member for Oxford (Sir William Harcourt). He believed the country was alive to its danger; but there was one point, which had been referred to by the right hon. Member for Greenwich, in which he thought injustice had been done to Lord Derby. He had reproached the Government with not having pointed out what they objected to in the terms of peace, which had been submitted by Count Schouvaloff in 1877; but if the right hon. Gentleman had read the despatch of Lord Derby of June, 1877, to Lord Augustus Lofus, he would have seen that Lord Derby, when asked by Count Schouvaloff whether he proposed to give any opinion on those proposals, said, that he must consult his Colleagues before doing so, but that his own opinion was that it would be better for Count Schouvaloff not to ask for a reply to his communication—to which his Excellency agreed. It was idle, therefore, to charge the Government with collusion in regard of any pretensions of Russia in 1878, on the ground that Lord Derby had never given any answer to the projects of the peace they intended to ask. The country was happily alive to the situation, for it was aware what had been the policy of Russia for more than 100 years. In 1768, Russia had no settlements on the Black Sea; then she had undertaken a war against Turkey on the same pretence as the recent war—informing other countries that it was undertaken in the cause of their common Christianity. Then had come the Treaty of Kainardji, and the first annexation on the coasts of the Black Sea. The same plea had been put forward on behalf of the Greeks in the Morea, in 1828, and the war had ended in the Treaty of Adrianople, giving still further territory to Russia in Asia. The result now was that Russia had gone 1,000 miles south-east, annexed Batoum, and made such advances in Central Asia that, as the House had just heard, her boundary was only 240 miles from our Frontier. In a passage of Lord Salisbury's despatch, it was pointed out that Prince Gortschakoff had declared that only European questions should be submitted to a Congress. But what were those European questions? Bessarabia was a European question, but it was not to be submitted to the Congress. It might be paradoxical, but he would ask whether African or Asiatic questions might not be European questions? As they knew, the Dardanelles divided Europe from Asia. ["Hear, hear!"] He was glad to have told hon. Members opposite something they did not know before. Again, the whole question of the Egyptian Government succession was settled by a European Treaty; and, in fact, if all the questions that had or could arise were gone through, it would be found that British interests, properly so-called, would be thrust out into the cold unless they could be considered as affected by our relations not only in and with Europe, but with Asia also. The hon. Member for Kirkcaldy (Sir George Campbell) said that Bessarabia might be settled by Russia and Roumania, without reference to Europe; but that was not the fact. In 1856, the Congress of Paris decided that, in consequence of the defective administration of Russia with regard to keeping open the mouths of the Danube, that district should be taken from them, and the duty of keeping open the mouths of the Danube devolved upon a mixed Commission. If hon. Members would refer to the Correspondence between this country and Russia during 1849 and 1853, first by Lord Palmerston and then by Lord Clarendon, they would find complaints of the unremoved obstructions which prevented our ships entering the Danube; and, on one occasion, there were 25 English ships so hindered, because the Russians refused to take the most ordinary means to clear the mouths of the Danube. The right hon. Member for Greenwich glanced but slightly at the question of the Straits. The matter was one which had been discussed before in the House; and it had been suggested—he believed by the right hon. Gentleman the Member for Birmingham—that a compromise should be effected, by limiting the number of ships of war that should be allowed to pass through the Straits at the same time. This was a sort of artificial restriction, which had been unsuccessfully tried in the Black Sea, and he should be sorry to see the system again resorted to. It was a curious fact that neutralization was first commenced by Russia herself, who, in 1813 and 1828, forced the Persian Government to make Treaties, by which no war flag was allowed to fly in the Caspian Sea except that of Russia. The right hon. Member for Greenwich had, in the course of his speech, accused Lord Salisbury of stating opinions unworthy of the meanest attorney—language which he thought scarcely proper to be used in that House. With regard to the allegation of misstatement, he maintained that a more unfounded charge was never brought by one public man against another. The right hon. Gentleman had often, when he had spoken early in a debate, said that attacks were made upon him which it was known he could not, in consequence of the rules of debate, answer. Similarly, he felt justified in saying of the right hon. Gentleman, that he had that evening made charges against Lord Salisbury which he would not have made if the noble Lord had been present in the House. The right hon. Member said that in Lord Salisbury's despatch there were statements which were not creditable; but comments were not misstatements, and, whether creditable or not, that did not depend on any opinion expressed by the right hon. Member. The first accusation of mis-statement was that the future Ruler of Servia would be practically chosen by Russia; but if the right hon. Member had consulted the Treaty itself, and quoted Article VII. properly, he would have seen that Lord Salisbury was perfectly justified in that remark. A brief study of history, and an application of it to the present case, would show that the choice was to follow the precedent established in the Danubian Principalities in 1830, when the Councils were chosen by Russia, and administered the Principalities under the superintendence of high officials appointed by the Russian Government, the Porte solemnly undertaking to confirm the administrative regulations laid down by Russia. The right hon. Member was very severe on Lord Salisbury's remarks upon Article XVIII., which he said was beneath the meanest attorney. But, anyone who read the Treaty, must see at a glance, that Lord Salisbury was justified in saying that it would practically put the Greek inhabitants of Epirus and Thessaly under the supervision of Russia. He would not discuss the boundaries of the New Bulgaria. But no one could deny that they were to be very large; that they were to extend from the Danube and the Black Sea to the Ægean, and that they would give Russia access to the Mediterranean. Well, if Russia were to have the administration of this new Province, if she were to have the education of the children, if she were to have possession of the mouths of the Danube, and if she were to be allowed to remain in the new Province for two years, the natural end must inevitably be that there would be no difference between Russia and Bulgaria. And what would be the result? Russia, the only really despotic Government in Europe, which had destroyed the Constitutions of Poland and Turkey, and had crushed the rising freedom of Hungary, would be brought into the Mediterranean, to overawe, it might be, constitutional nations, whose liberty had been partly established by English arms and English influence. What he wanted to see was the peace of Europe secure, and the interests of this country made safe. These objects, he believed, would be secured by Lord Salisbury's despatch; because it made known our wishes, in a clear, straightforward, and manly way, to foreign Powers. We should experience in the Government no more drifting or resigning. If the Government were determined to do its duty, he hoped it would be supported by a united Parliament, as he believed it was by a united people.

Mr. GOLDSMID trusted that the recent change in the Ministry would mark a change in our policy on this question. He could not help remembering that the late Foreign Secretary had long had notice of the intentions of the Russian Government, and that he had taken no step to let it be known that we could not assent to their being carried into effect. He hoped that the Government would now be united in opinion, because he would rather see them go wrong, holding together, than disunited and changing their opinions from day to day. He did not care for that judicial sort of mind that saw so forcibly both sides of any question that it could never arrive at any decision, and he hailed this despatch of Lord Salisbury as indicating, at all events, energy and vigour on the part of Her Majesty's Government. He agreed, however, with the right hon. Member for Greenwich, that Her Majesty's Government were bound to do everything possible to induce the other Powers to go into the Congress before they even thought of war. For himself, he certainly was no admirer of Russia. He had read and listened with deep regret to several pro-Russian speeches from various hon. Members, and, above all, to that of the right hon. Member for the London University (Mr. Lowe), and he could only tell the right hon. Gentleman, in whose election he (Mr. Goldsmid) had taken an active part, that on this subject he by no means represented the opinion of the University which had elected him. But, strongly as he felt that Russia had gone to war for selfish purposes, he thought that it was the duty of the Government to do all they could to avoid the mischiefs of war, which would spread grief and sorrow in many homes throughout the country. On one point he entirely disagreed with the right hon. Gentleman the Member for Greenwich. The right hon. Gentleman endeavoured to make out that Lord Salisbury was inaccurate when he said that the influence of Russia would predominate in the election of the future Sovereign of Bulgaria. But it could not be forgotten that there was to be an army of occupation, consisting of at least 50,000 Russian troops, in Bulgaria for two years. Anyone who took an interest in foreign affairs knew very well how matters were managed when there was an army of occupation. He remembered, when Savoy was annexed to France, how things were arranged at the ballot-box, and how great the numbers were for union with France; yet, nevertheless, he ventured to say that the annexation of Savoy and Nice was made against the feeling of the Province and the whole Italian people. When Russia had an army of occupation in Bulgaria, Russia would have no difficulty in so manipulating the ballot-box, even though it were to be used in an assembly of notables, that the man of her choice would be chosen; and the statement of Lord Salisbury, though strong, was justified. It was the duty of Her Majesty's Government to create a true and real Conference, and to say that they would be no parties to any so-called settlement of the Eastern Question which would simply transfer great Provinces from Turkish misrule to Russian despotism. There were two kinds of freedom—one which relied on the intelligent co-operation and choice of an active population, and was regulated alone by their just regard for each other's right; the other, which depended for its nominal existence on the beck of an absolute monarch. No British Government should be found supporting the latter sort of freedom. Consequently, he urged the Government to let that be clearly understood, and to do everything to create a public spirit in Eastern Europe. For that, Russia had little regard. Her treatment of Roumania was an example. He was not prejudiced in favour of Roumania, for the Government and people of Roumania had treated very cruelly the Jewish population; but he liked to give honour where honour was due. He could not but admire the gallantry of the Roumanians in the recent contest. If they had not given aid to Russia at a critical moment, the result of the war might have been very different. Roumania entered upon that contest in consequence of the pledge of Russia that her territory should be inviolate. How had that pledge been kept? Another instance was Russia's treatment of the United Greek Church. Consequently, he thought he was justified in urging that if the rising Nationalities in the East required the support of stronger States in their infantile period, let them be under European and not under Russian supervision; for Russia was not likely to consider the welfare of those populations alone, but her own future opportunities of aggrandizement. He trusted, therefore, that Her Majesty's Government would be strong in holding that the enlarged Bulgaria, Servia, Montenegro, and other Principalities, must be self-supporting, and not merely dependent on the beck of Muscovite despotism. Let them be really free, independent alike of Sultan and Czar. The Government ought also to insist with a strong hand and a loud voice that the fortresses of the Straits should be razed and dismantled, and that ingress and egress should be given to all nations to and from the Black Sea, and egress to Russia from the Black Sea. Every Power should have free access both for ships of war and merchant vessels to that sea, and then we could, practically, hold our own against Russia, and she would have more to fear from us than we to fear from her. Under these circumstances, he would not join in opposing Her Majesty's Government; but their responsibility was very great at the present moment. If the Government said they considered it their duty to call out the Reserves in the interests of the British Empire, and for the preservation of its honour, he did not think he should be justified in refusing; though, of course, they would be held responsible for the course they pursued, and would hereafter at the proper time be called strictly to account.

MR. GATHORNE HARDY: Sir, my hon. Friend who has just sat down (Mr. Goldsmid) has taken a course somewhat different from that which has been adopted by many preceding speakers; for while he called upon the Government, on their responsibility, to state that they have in the past endeavoured to preserve peace, and that in the future they will be guided by a consideration for the honour of the country and of that which is due to its interests, he has called upon us also to say that we are desirous that there should be a European guarantee in the East of Europe and not a Russian one alone. I think I may assure him on all these points, that the Government have acted in the past, are acting in the present, and will act in the future, in accordance with the sentiments which he has expressed. It was not my intention this evening to trouble the House; but, unfortunately, during the speech of the right hon. Gentleman opposite (Mr. Gladstone), something that he said so strongly attracted my attention, that I took up a torn envelope from the floor and took down what he said. This led to a series of challenges, which the right hon. Gentleman expected me to reply to, and which I have waited to reply to until he himself was present. The right hon. Gentleman is an ex-Prime Minister of the Crown, and he is one who, by his great talents and the great part which he has played in this country, must always command and attract attention, not only in the House, but in the country. And the right hon. Gentleman, as I understand him to-night, has told us that his great object in speaking has been, if possible, to bring about a Congress of the European Powers for the purpose of settling the Eastern Question. Well, Sir, when the right hon. Gentleman rose, interposing between the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) and the House, taking the place which is usually occupied by one who moves an Amendment, I imagined that he, as, *vir pietate gravis*, was to get up, and, with a judicial and calm spirit, was to give to the House such information and guidance as would bring it to a right and safe conclusion; and, indeed, the right hon. Gentleman wished for unity, for he was against a division of the House, but he was not against division in the country. His whole tone was one which was to depreciate the Government that represents the country, to convey to the country that it had a Government which had been unable in times past to guide it with success, and which, in asking its confidence now, was demanding of it that for which it had no justification in the past and no promise in the future. Therefore, while he was asking for a Congress, I venture to say that he was doing all that was possible for him to prevent a meeting of European Powers as far as his influence was concerned; but I am thankful to say, that by the course he has lately taken, that influence is not what it was in times past. I cannot but feel that when the right hon. Gentleman will not appeal to a division of the House, it is because he knows that he will not be followed by those who were his Friends in times past, but who have repudiated his policy and thrown aside his views and his Leadership. I say that the right hon. Gentleman in the course he has taken in condemning to-night the policy of the Government, as set out in the speeches of Members of the Government and in the Circular of Lord Salisbury, has taken his opportunity to show that he opposes our measures; and, it is not merely because he fears he will be put in a minority, that he will not face a division, but because there is division among his own Friends. So he cannot support his views by his vote. But if he holds sincerely the views he has stated, it is his duty to protest against the action of the Government, not only by his voice, but also by his vote. The right hon. Gentleman seems to me to be in that position. He has told us that he is convinced that the country almost unanimously is in favour of a policy of peace, and he has told us that that is his policy. I know not whether the country then considers that the Ministry is a Ministry of peace, as we have said; because, as far as I can ascertain, both in borough and county, we have not found so unanimous a desire for opposition to the Government. The elections which have recently taken place in counties and boroughs do not show it. At this moment one Metropolitan county is vacant, with a constituency representing all classes, and largely those to whom the right hon. Gentleman has been at times inclined to appeal, and yet, so far as I have heard, my noble Friend (Lord George Hamilton), whose talents and politics are deserving of the honour, is at present standing for the county unopposed. Now, I must go further, and tender my tribute of thanks to those who act so differently from the right hon. Gentleman—to the noble Lord opposite (the Marquess of Hartington), not because he has deserted his duty, or is doing anything in favour of this side of the House; but because, in the exercise of it, he has declined to be a party to such vague and wild declamation, and to statements so depreciatory of the Government. There is a Government which he cannot displace; so, while he fairly criticizes, as is his duty, he does not resist it—with a fair right, hereafter, to challenge the policy which it has adopted, when he understands more fully all those circumstances and negotiations to which at present he must needs be somewhat of a stranger. I say this, not to make any attack upon those who act differently and who come forward, like the hon. Member for Carlisle, against us not only on one particular point, but on many points—such as the reduction of the Army. I am only sorry for his sake, that mankind still remains quarrelsome, and that we should still be obliged to arm ourselves. The hon. Gentleman the Member for Kirkcaldy (Sir George Campbell) told us that we had no Army worth considering in India, that we were in no sense a military Power, and, that, so far as we were concerned, it came to this—that unless we could get somebody to fight for us we had better hold our peace. Well, that is not the opinion of the Government. The Government has thought it its duty, its imperative duty, that it should prepare itself for contingencies, believing that England, like the rest of Europe, has a deep interest in what has occurred in the South-Eastern part of Europe. That is in passing. Now, the right hon. Gentleman went through the different points on which he relied, and I will endeavour to reply to him. He said we had put a very lax interpretation upon the Statute. He said there was no great emergency, that the time had not come for us to act as we are acting, and that in 1870 it was never meant that the Act then passed under his Government for calling on the Reserves should be so used. He then gave certain instances in which he said that during the last 15 years there would, under our view of the case, have been great emergencies. Well, let us see what they were. There was, in 1870, the Franco-German War. There were no Army Reserves at that time, and what did the Government and the right hon. Gentleman do? They came down to the House for a Vote of £2,000,000, and called out 20,000 additional recruits. Was that a great emergency? Was the Trent affair in 1861 an emergency? It was such an emergency as this, that strong action was taken—Lord Palmerston not only got troops together, but he actually sent them to Canada. Then comes the War in 1864. I confess that I speak with hesitation of it, for neither France nor England made a very creditable exhibition. That was the fatal cause of much of the European trouble that has followed. I have a great sympathy with the drawing together of the German Empire — a great sympathy for the ties of blood which made that great Empire; but I cannot say but that I regret that the Forces of Prussia and Austria should have been used to crush that gallant little State, Denmark. I cannot but regret that that first instance of might taking its place against right was the one which has given an impetus to the same sort of thing in Europe since, and particularly to the condition of things in which we now find ourselves. These were the right hon. Gentleman's three instances. In 1861, I say there was the action of the Government which showed there was a case of great emergency; in 1870, the right hon. Gentleman acted as if there was a case of great emergency by calling out 20,000 men; of 1864, I will say nothing. Then the right hon. Gentleman compared the speech of my right hon. Friend (the Chancellor of the Exchequer) with the Circular of Lord Salisbury. Well, what was the course my right hon. Friend took? Impressed with the gravity of the situation—Europe all suspense, awaiting to know what is about to happen—my right hon. Friend, with an anxious desire to bring about peace; speaking in a tone consistent with the gravity of the situation, used not a word which could by any possibility offend any nation; not a word which could give to Russia any irritation; carefully abstained from saying anything which could impair the hope of bringing about the Congress. How was the speech of my right hon. Friend followed? By the calm, judicial speech of the right hon. Gentleman? The right hon. Gentleman took an entirely different tone, and used language with respect to

Lord Salisbury's Circular, to which I will call attention by-and-by. He alleged that we had changed our position. He said that—"You asked for these £6,000,000 to go with might into Conference." Be it so. But, surely, the £6,000,000 are meant to be spent in warlike preparation, for the purpose of being ready for war, if the occasion should arise. It was treated as a precautionary measure. It is true we were ready to go into the Congress, if it was to be a real Congress. We are prepared to go into a Congress to-morrow, provided only that it is real and genuine, so that we may probe these things to the bottom. But I will ask any hon. Gentleman, whatever side of the House he sits on, whatever his sympathies, whether, when he first saw the map which laid down the limits according to the Treaty of San Stefano, he did not hold up his hands in amazement and stand astonished at the difference between the professions to which we have listened and the Treaty which was concluded, so far as Russia and Turkey are concerned, and which was not to be submitted, as a whole, to the Congress for investigation? The right hon. Gentleman then goes on to another point, and I should like to refer to documents which are conclusive on the subject. The right hon. Gentleman, in his long speech on Friday, asked whether Russia was at liberty to withdraw from the Congress at any period she pleased, and were the other Powers at liberty to do the same? Certainly. We have never disputed that in any way. Any Power that goes into the Congress is at liberty to withdraw from it. But that is not the point of Prince Gortchakoff. There is no ambiguity about Prince Gortchakoff. He understands it, if the right hon. Gentleman does not. We objected to such vague terms as "appreciations and judgments," which are not English, but French terms—terms of art—and which did not give us a clear apprehension of what the Russian Government meant to insist upon; we desired to have them made so clear that those who ran might read. What we also asked was this—was the Treaty to be considered altogether? Not necessarily for acceptance, but in order that it might be considered what Articles required acceptance by the other Powers and what did not. What was the answer? The Russian Government, by Prince Gortchakoff, said—

> "It leaves to the other Powers the liberty of raising such questions at the Congress as they may think fit to discuss, and reserves to itself the liberty of accepting, or not accepting, the discussion of these questions."

Is there anything to be disputed about that? Suppose that any Member of the Congress was to discuss the question of Bessarabia. Russia says—"Oh, that is excluded from the discussion—we will not accept the discussion." That would be in accordance with what Prince Gortchakoff says. The right hon. Gentleman talks about the liberty of withdrawal. Can anything be conceived more absurd or even ridiculous than that Russia, on arriving at a particular point, should say—"I am going to withdraw it from discussion. I will have nothing to say to it. Discuss it; but as between Turkey and ourselves it is concluded." What would be the use of such a Congress as that sitting? Does the right hon. Gentleman mean to say, on the other hand, that if England were to withdraw from the Conference, the other Powers should be at liberty to settle everything as against England without England's concurrence, and that England was to be bound by their act? I hope I live in an England which would refuse to be so treated and bound. England is desirous of peace and loves peace, but England has a European connection, an Asiatic connection, an Empire which extends to every part of the earth; and England, if driven away from the discussion of a question in which her interests are involved, is she to depart from the Congress, to be driven away from the discussion of points in which she takes a material interest, and leave them to be settled behind her back, and without her concurrence? Sir, I say that is an impossible condition of things—one to which no House of Commons would agree. On the contrary, any English House of Commons would insist on our being heard in respect of Treaties to which we are a party. Well, it is hardly worth while to touch on the little points to which the right hon. Gentleman referred. One, however, he surprised me by referring to. He said that Lord Salisbury in his Circular threw over the Ottoman Empire, because, in one clause, he spoke of the Government of Constantinople. Well, the right hon. Gentleman is a great writer, and I daresay he has often changed about his terms with a view to avoid tautology; and if he will read the clause, he will see what Lord Salisbury did. The use of the phrase was merely a form of expression, and meant nothing in particular, but was adopted in order to avoid tautology, and is fully explained by the context. Then, the right hon. Gentleman has complained of the way in which the Government has conducted this business. He says that it has pursued a vacillating course, that when he has heard anything bad from one of its Members, he has been content, knowing that something good must speedily follow, and *vice versâ.* Now, having heard something which he will doubtless think very bad to-night, can he not be content and expect something good next week? If he would only do this, he would save us a great deal of trouble. Then the right hon. Gentleman said much harm was done by the resignation of two of my noble Colleagues, whose speeches had fostered the feeling in favour of peace. Possibly their speeches may have had that effect, and may have been acceptable to numbers of people in this country as viewed in that light; but can he point to any of the speeches of their Colleagues which had a contrary effect? I do not think they spoke in a more conciliatory tone than my right hon. Friend. A noble Duke has made some allusion to a speech of mine, in which I mentioned trumpets and drums, but I did not make use of the words in a warlike sense at all. In order to give an idea of the extent of the Empire, I said that in some part of the Queen's Dominions, the drum was heard at every hour of an English day and night, and I said, or meant to say, nothing more, and was far from using it with reference to any warlike purpose whatever. From the time of the resignation of my noble Friends, the right hon. Gentleman says, we have been on a declivity, and among other things as showing this, he mentions the fact that we have a Fleet in the Sea of Marmora. A great deal has been said on this subject, and we have been told by Russia that, except for strategic reasons, there would be no approach to Constantinople. But was there a single strategic reason for the approach either to the lines at Gallipoli or to Constantinople? There was an absolute surrender by Turkey at Kezanlik, and there was no occasion for ever advancing beyond Adrianople. In spite of that, there was an alarming advance in both directions, and great consternation prevailed on the subject. Though at the time at which the Fleet entered the Sea of Marmora, there was no danger to British subjects, there had been danger, and it had been the invariable practice of this country to send its Fleets wherever British subjects are in danger. At the same time, I would be uncandid, if I said that the Fleet was there for that purpose only. The Fleet is there as a fair representation of the power of England—a fair representation of the intention of England to have its share in the settlement of the Eastern Question. So far as I understand, that was the reason why we sent the Fleet into the Sea of Marmora. Not in a spirit of hostility to anyone there, for there is no desire on the part of the Government that the Fleet should come into collision with anybody; but it is only reasonable that, having the Fleet there, other ships should be so stationed at Gallipoli as to make it easy for the Fleet to re-pass the Dardanelles when the time comes for it to leave the Sea of Marmora. Then the right hon. Gentleman referred to the rupture of the Congress negotiations; but that is no fault of ours. We were co-signatories of the Treaties of 1856 and 1871, and we entered into an agreement with Russia in the latter Treaty, that no one Power should withdraw from them without the consent of the other; but she has withdrawn from them by the Treaty of San Stefano, and has raised our right to take part in every single point which is an alteration of the Treaties of 1856 and 1871. If we are going to enter the Congress, existing Treaties must be re-organized, for they are the groundwork, or we shall refuse to go. I am quite sure that a great many right hon. and hon. Gentlemen opposite feel quite as much as I do, that when we are accused of having broken up the Congress, we have only asked for what we have a perfect and absolute right to ask. The right hon. Gentleman himself has said, when the time comes, demand what is right, and stick to it; and I say to the nation, if you enter into Treaties, insist on the discussion of every point in these Treaties which are now proposed to be affected without any reference to you as a co-signatory. The right hon. Gentleman then said—"But your Foreign Secretary leaves you?" Quite true; but it should be borne in mind that he was with us and assented to every one of the items on which the right hon. Gentleman has laid stress as being objectionable, and that he consented with us—nay, more, he urged in the strongest manner the terms which we laid down as conditions precedent to our entering the Congress—terms without which it would be perfectly hopeless and futile to enter the Congress at all. It has been suggested that a second Plenipotentiary should have been sent to settle the preliminaries of the Congress, and that, no doubt, would be all very well as far as mere technical preliminaries are concerned; but the preliminaries upon the settlement of which disagreement has arisen were matters which go to the whole base and substance of the matter—namely, whether you were to submit the Treaties of 1856 and 1871 as well as the Treaty of San Stefano to the consideration of the Congress, and we said if you do admit them, we will go into the Congress, but if you will not we refuse to go into the Congress. Well, then, my noble Friend the late Foreign Secretary was in agreement with the rest of his Colleagues also in reference to the Vote of Credit; and in reference to that matter, I may mention that England is not the only European country which has asked for such a Vote, but that there is another country which has done so—a country which is deeply interested in this matter. And now we are told, again and again, that we are isolated; but I say—Wait! Do not be too hasty in coming to that conclusion. There are deep interests involved in this question, and I venture to say with regard to the Circular Despatch of Lord Salisbury that it will live, and that its influence will be felt not only in this country, but throughout Europe. It followed, no doubt, the Vote of Credit, and it has been followed by the steps which we are now taking; but I say that, so far from our taking those steps being drifting into war, it is the bringing to an anchor, it is the placing ourselves in a position where we are understood and intelligible. These steps which we have taken, therefore, will be, in my opinion, the most conclusive for peace which have ever been taken. It is the drifting of unpreparedness which we have to fear. We find that the right hon. Gentleman opposite objects to the use of the word "drifting" as applied to the Crimean War; but if we did not drift into that war, shame and woe be upon the heads of those who went into it so unpreparedly! Why did Lord Derby stay with us? Because he felt that the course we were pursuing, at least up to the time he left us, tended towards peace, and that the object in view was peace. I now come to the question raised with regard to the calling out of the Reserves. In 1870 a change was effected in our Army, and instead of having long service in it we introduced the system of short service in the Army, and subsequent service in the Reserve; so that, instead of having an Army of 100,000 men, we might have an Army of 160,000 or 180,000 men—60,000 or 80,000 of whom might be in the Reserve, who might be called up in time of necessity. What with sending out our best men to the battalions stationed in India and in the Colonies, we have at home only young soldiers, and we fill up the home battalions in time of emergency from the old, seasoned soldiers who form the Reserve. The consequence of the system is that, ordinarily, you have a number of young men in the ranks, and none of your battalions are filled to the full measure until a time of war. The moment that is threatened, it is an essential step at once to put the Reserves into motion, otherwise you might call upon them too late. If there is one point more essential than another, it is that the men of a regiment should know one another; and if you waited till war was proclaimed, and then called out the Reserves, you would fill up regiments with men who are unacquainted with them, and with those whom they are to join. Moreover, the Reserves have been absent from their work for some time; and, of course, they are, to a certain extent, out of the practice essential to make good soldiers. But they very quickly regain their old habits, and soon become fit for the work entrusted to them. When you talk about our calling out our few Reserves having alarmed Europe, it is simply absurd, when other countries have been doing the same thing. Why, look at the state of Europe! You may hear the tramp of armed men in every corner. There is not a square mile in any part of it in which you may not hear the tread of armed men taken from peaceful pursuits. So much is this the case, that even the country which has had enormous sums paid into its coffers finds itself poor on account of the immense Forces which it keeps under arms. We, in this country, have taken a different course. We have only a small Army; it is true it is an expensive Army, because it is a Volunteer Army. But I believe it is a system which will commend itself to us in the strongest way, if it really comes out as we expect. I cannot help thinking that those who hesitate about calling out the Reserves on this occasion might well hold their hands and see whether we really have the Reserves. Some people say we have not, but I believe in it. I believe these men will appear in the ranks; but, at all events, it is a beneficial thing that we should see whether we can rely on these regiments which are now in the background, but which I hope will come forward and show that England has a reliable Force. The right hon. Gentleman spoke of Government being chivalrous in taking up the cause of the injured; but there is a chivalry which, I am sorry to say, is sometimes neglected, and that is the chivalry of standing up for what you have a right to, even if it is supposed that you will have to stand alone. I am told by some that we shall have no Allies. That is the question of the future. I hope we shall not require them; but this country has before now engaged in a war without Allies, and when we were weaker than we are now. This country has been able to maintain its position on every sea, and has shown itself not without effect on many shores. It is true, I believe, that we have never sent out a greater Force than about 30,000 or 33,000 men; but if the need now arises, I believe we should be able to send out English soldiers to a very much greater extent; and that, moreover, a military spirit now exists very much among the Volunteers, which makes us infinitely stronger than in any former time. I agree with the right hon. Gentleman that peace is a great object which the majority of the people of this country have at heart. But anxious as the people are for peace, they say—"For Heaven's sake, do not let us preserve it by any dishonourable means; give up nothing you are justly entitled to, and, above all, do not give up anything which would make peace secure. Our object should be to make peace so sure that nothing will break it as far as human ingenuity can settle affairs." Well, Sir, the right hon. Gentleman then went on from those points to attack the despatch of my noble Friend, and I cannot help thinking that the remarks he made were somemhat harsh and undeserved. Nor do I think that the right hon. Gentleman, when he recalls some of the terms he used, will think they will conduce to the fairness of controversy in this House, or that they will be such as will be looked back upon by himself with that due regard to his position and his dignity which, I am sure, none of us would wish to see diminished. But when the right hon. Gentleman said the language in that despatch was not consistent with decency and honour—that it was inconsistent with national honour—that it showed the spirit of a mean attorney, and the meanest of attorneys—surely, that is language which is hardly deserved by my noble Friend who is well known in this House, and such as the despatch in no degree merits. Now, let us take these points, though my hon. Friend the Member for Christchurch (Sir H. Drummond Wolff) touched on them. As the right hon. Gentleman called my attention to them, I should be sorry not to answer those points on which he addressed the House. Now, with respect to the Treaty of Kainardji, there has always been a dispute upon it; but I will say this, that the decision upon the Treaty of Kainardji by the Great Powers was this—that Russia had no right of Protectorate in any sense of the Christians of Turkey. I know the right hon. Gentleman takes his view of it. In Article 7 of that Treaty, the Sultan promises to protect the Christian religion in all its churches.—and also agrees that the Ministers of the Imperial Court of Russia may make representations in favour of the church to be erected at Constantinople, as well as those officiating therein, and promises to receive those remonstrances as coming from a friendly Power. The Sultan makes a general promise, and makes a specific engagement with Russia. Anybody reading that would see that Russia was excluded from making any interference in the domestic government of Turkey, except in the case of the Christian church at Constantinople. That exception proves that all the rest were excluded. But Russia claimed, under the Treaty of Kainardji, a general Protectorate of the Christian inhabitants of Turkey. Upon that, decisions were come to by the Great Powers, whereby that claim was disposed of. And now let us see whether my noble Friend is wrong in saying that this Treaty is not more limited than that of Kainardji? The Treaty of San Stefano gives Russia the right of interfering on behalf of certain Christians all over the Turkish Empire. Does this Treaty, or does it not, afford an opportunity to Russia—I do not say she would use it—of carrying on intrigue in Turkey, and of bringing about its ruin? I ask any candid person to say, does my noble Friend describe it unduly when he describes this Treaty as not more limited than that of Kainardji? Then, as to the indemnity—I will not differ from what the right hon. Gentleman said. The mere point of money I will not take up, but the question involved—as respects territory, he himself said—must come under the consideration of the Powers. With respect to Bessarabia, the right hon. Gentleman says we do not enter into that subject with sufficient minuteness. We say the compulsory alienation of Bessarabia from Roumania and the acquisition of the important harbour of Batoum will make Russia dominant over all the Black Sea. The right hon. Gentleman—having this distinct intimation from Russia of what she is determined upon, and Russia having declared that if she cannot have Bessarabia otherwise, she will take it by force—appears inclined to do on behalf of Roumania what is, no doubt, a chivalrous act on his part. And it is one of those chivalrous acts in regard to which he says he could sympathize with the Government, if it would draw the sword for these grand sentimental objects. Well, Sir, sentiment is a hard master; and I do not know where it might lead us. The real fact is, that Bessarabia has a very material influence on the Danube and the Black Sea, and a most material influence on the well-being of Roumania; and it cannot be wondered at that Roumania has taken the course she has done in existing circumstances. The right hon. Gentleman says the terms were known to us with respect to Bessarabia before. That was prior to the interference of Roumania in the war. But it was treated then very differently by Russia, and it was on the supposition that Roumania was not to help her in the war; but she did help her at a most material point, and in a most material manner. And, therefore, so far as that is concerned, Roumania has a good deal the best of the argument. And here I would remark that the right hon. Gentleman spoke of the importance of a large Bulgaria, which he compared with a large Roumania, as a check to Russian influence. That is a most extraordinary argument, because Roumania became, first, a road for the Russians; and, secondly, became their most important Ally. Yet, we are told, that we are to erect a large Bulgaria, under Russian supervision and control, and to say that such a Bulgaria is to be a real and effective resistance to Russia. After the experience of Roumania, I cannot say that I have any great faith in that. Well, the right hon. Gentleman, with great justice, said that at the time these terms were communicated by Count Schouvaloff, of course it was impossible for Her Majesty's Government to publish them. That is quite obvious on the face of the documents. But the right hon. Gentleman says we took no part in respect to these terms at that time, and that thus we misled Russia. I should like, for a few minutes, if the House will bear with me, to explain what really took place. On the 8th of June these terms were first spoken of to Lord Derby; and observe what the communication of Count Schouvaloff was to Lord Derby! Count Schouvaloff said that in addition, and as a separate matter, he was authorized to offer an exchange of ideas on the question of possible conditions of peace, supposing the Porte—now mark these words—to be willing to come to terms before the Russian Forces had crossed the Balkans. It was all founded on this point—whether the Porte would be inclined to listen to terms—possible terms—at all? The terms mentioned by Count Schouvaloff were never regarded as possible terms by Her Majesty's Government. That was quite obvious from the course we took. They were sent to Mr. Layard, who was asked whether there was any probability of the Porte acceding to the terms? otherwise any attempt at mediation would be useless. The Porte was not only not disposed to listen to these terms, but would not then listen to any terms at all—for, according to Mr. Layard's despatch, the Porte was confident of being able to drive the Russians back across the Danube, and also of finally repulsing them in Armenia. Therefore, Turkey was not disposed to listen to any terms of peace at that time. Lord Derby, writing to Lord Augustus Loftus, said he did not understand the terms to be put before the British Cabinet for an expression of opinion, and before he could express one upon them, it would be necessary for him to consult his Colleagues, which he would be ready to do if it was thought desirable; but his Lordship added, that in his personal judgment, it was impossible to expect the Porte to accede to those proposals until it was reduced to the last extremity. It was finally distinctly understood upon both sides that the communication was to be of a personal and private character. Therefore, the thing fell to the ground. Besides that, when we got a little further into August, what was the course of conversation between the Emperor and Colonel Wellesley? Was it said that these terms were to be strictly adhered to as they had been expressed by Count Schouvaloff? How does he put it? He says—

> "The terms of peace required by the Emperor are those lately communicated to Lord Derby by Count Schouvaloff, and will remain as long as England maintains her position of neutrality. His Majesty has no ideas of annexation, beyond that, perhaps, of the territory lost by Russia in 1856, and, perhaps, of a certain portion of Asia Minor."

Again, the Emperor will not occupy Constantinople for military honour—but he is near enough already. Again, His Majesty was ready to treat on suitable terms with the Sultan; but as for England, her mediation in favour of the Turks could not be entertained. What was the use, then, of considering these terms of peace? As soon as it was known that the Porte would not listen to them, England was compelled to wash her hands of them. The important thing is that the Emperor qualified his statements to Colonel Wellesley with the word "perhaps;" and, in addition, said that he looked to a Conference for a final settlement of the question. I have gone through some of the points to which the right hon. Gentleman referred, but my notes are incomplete. It seems that the right hon. Gentleman is full of apprehension. He says—first, do nothing without Europe; and we have endeavoured to do nothing without Europe, and we have done everything in our power to bring Europe to one mind, and to bring things to a satisfactory issue. What does the right hon. Gentleman say? He says, look to the Congress to pacify Thessaly; and we do look to the Congress, but we do not know what will be subjected to it, and what will not. We will do all we can for the pacification of Thessaly, and to bring freedom to Mussulmans, Slavs, and Serbs alike; and I trust that any settlement will ensure good government that cannot be broken up by the intrigue of any selfish Power. As for the other points, I must remark that I do not think this the time for a discussion on the Straits, though I quite admit that they have been specially spoken of as subject to the Conference. But what the right hon. Gentleman is most afraid for is the local freedom of the Bulgarians. He says—"Watch Russia." What, watch the Liberator! And—"Watch Austria." Watch Austria! Why, it struck me with astonishment, that we were to watch half Europe. And yet the right hon. Gentleman told us that it was a mis-statement to speak of the election of the Prince of Bulgaria as under Russian influence. Surely, the Prince of the Bulgarians will want watching, for, although he is to be elected freely among the Bulgarians, they are to be assisted by 20,000 Russian troops. And we have these words that the re-organization is to be made "under the superintendence of an Imperial Commissioner, and in the presence of an Ottoman Commissioner." My hon. Friend the Member for Christchurch referred to the Danubian Principalities; and it is not too much to say that my noble Friend did not use too strong language, when he said that the Treaty would practically make Russia the Ruler of Bulgaria. But, after all, this is matter of opinion, and it is not a point which is to be spoken of as contrary to decency and honour. Surely, in our interpretation of the Treaty, we are not to be bound by the view the right hon. Gentleman may take—and quite conscientiously, I have no doubt, my noble Friend takes his own view and our view. It is open to everyone to say whether it is the right one. There is no concealment on the part of my noble Friend when he puts forward this as his view of Article 7; and I object that such language as has been used by the right hon. Gentleman should be applied to my noble Friend in the House of Commons. Nobody, Sir, can doubt that there is at this moment, assuming the Treaty of San Stefano to stand, that there is a great darkening overshadowing the South-East of Europe. No one can doubt that one Power in Europe is supreme there at this moment. No one can doubt that Turkey has by that Power been absolutely crushed. The right hon. Gentleman speaks of what was done at the Conference; but the right hon. Gentleman himself more than once said that he was desirous that Turkey should exercise dominion over those States, with proper guarantees for their good government. That was the tone taken at the Conference; but there was no question of this creation of vast independent States. The circumstances are altogether different. Sir, I feel deeply the gravity of the situation. I trust I have not said a word to bring about a collision of opinion or feeling, or which might hinder the establishment of a secure peace. My strong desire has been otherwise. I have endeavoured to confine myself to the points mentioned by the right hon. Gentleman. Is it possible that an English Minister, having the interest of England at heart, could possibly wish for war? It is simply absurd that, with our interest in commerce throughout the world, in trade at home, our interest in the happiness of the people, in their freedom from bloodshed, in the quietness of their homes throughout the country—it is, I say, simply impossible that we could be desirous of war. Sir, it is so ridiculous an accusation, that I am almost ashamed to answer it. But, Sir, there are worse evils than war. Worse evils arise from the degradation of a country that is asserting its position and claiming its rights—degradation from the refusal to that country of the right to exercise its just influence in the settlement of the administration of a State in which it has held great interests. It is an insult to such a country to be driven from the free discussion of those points to which it had committed itself by its own adhesion and its own signature in conjunction with other Great Powers. It then becomes the duty of such a country, even at the risk which I, for one, am most anxious to avoid, of some bloodshed to maintain its position. It will only, by deferring the time, weaken itself for future effort, when war will come down upon it heavily and earnestly and against its will. It is better to take time by the forelock; and, if this country is unjustly excluded from its rights, to place itself in such a position as to show that it means to maintain them, and not to allow the Empire of England to be trodden down and dishonoured even by the greatest Empire or by any Power in the world.

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. E. Jenkins.*)

THE CHANCELLOR OF THE EXCHEQUER: I hope the House will continue the discussion this day, as we are getting now near the period of the Holidays, and there are still matters to be discussed in connection with the financial measures of the Government. I hope, therefore, it will be convenient to go on with the debate this evening, and that hon. Members who have Motions on the Paper will allow it to take precedence.

Motion *agreed to*.

Debate *adjourned* till *To-morrow*.

CONWAY BRIDGE [COMPOSITION OF DEBT].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the Commissioners of Her Majesty's Treasury to compound the Public Debt and Interest due by the Conway Bridge Commissioners, and to make arrangements for the payment of the amount for which such Debt is to be compounded.

Resolution to be reported upon *Thursday*.

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 1) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to confirm certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Auchenlochan (Kyles of Bute), Carrick Castle

(Loch Goil), Conway, Falmouth, Filey, Folkestone, Hythe (Southampton), Margate, Plymouth, Port Seton, Sea View (Isle of Wight), Shanklin, Southend, South Uist, and Walton-on-the-Naze.

Resolution *reported:* — Bill *ordered* to be brought in by Viscount SANDON and Mr. J. G. TALBOT.

Bill *presented*, and read the first time. [Bill 148.]

GENERAL POLICE AND IMPROVEMENT (SCOTLAND) ACT, 1862, AMENDMENT BILL.

On Motion of Mr. M'LAGAN, Bill to alter the time of electing Commissioners under "The General Police and Improvement (Scotland) Act, 1862," *ordered* to be brought in by Mr. M'LAGAN, Mr. ORR EWING, and Colonel MURE.

Bill *presented*, and read the first time. [Bill 147.]

THAMES RIVER (PREVENTION OF FLOODS) BILL.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to amend 'The Metropolis Management Act, 1855,' and the Acts amending the same, so far as relates to the protection of the Metropolis from floods and inundations caused by the overflow of the River Thames; and for other purposes."—(*Sir James M'Garel-Hogg.*)

Debate *adjourned* till *To-morrow.*

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, 9th April, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Elementary Education Provisional Order Confirmation (London) * (67); Elementary Education Provisional Orders Confirmation (Birmingham, &c.) * (68).

Second Reading — Factories and Workshops (57).

Committee— Education (Scotland) (47-69).

Report—Bishoprics (63-70).

Third Reading—Public Baths and Washhouses * (39); Threshing Machines * (50), and *passed.*

FACTORIES AND WORKSHOPS BILL.

(*The Lord Steward.*)

(NO. 57.) SECOND READING.

Order of the Day for the Second Reading, read.

EARL BEAUCHAMP, in moving that the Bill be now read the second time, said, that the subject was of a somewhat complicated character, because the whole of the legislation which had taken place had been the growth of Parliamentary legislation—tentative on the one hand, and, on the other, the subject of a great deal of compromise. The measure to which he asked their Lordships to give a second reading, was a consolidation of 35 years' work and experience. The noble Earl proceeded to give a history of the legislation on this subject, pointing out that the question had attracted the attention of the Legislature at least as early as the year 1816; and that in that year, and in 1818 and 1819, Committees of the Lords had made Reports upon which Bills had been founded, but which did not succeed. In 1832, Mr. Sadler introduced a Bill dealing with the hours of labour, which, though it did not pass, was the foundation of the subsequent measures. In 1833, Lord Ashley introduced a Ten Hours' Bill. Lord Ashley's measure was at first opposed by the Government, but was then accepted by Lord Althorp, and was passed, with many modifications. It prohibited the employment of persons under 18 years of age in night work, and regulated the working hours of children to nine hours a-day. But it was not until 1847, that Mr. Fielden carried the Ten Hours' Bill, by which the hours of labour were restricted to 58 hours a-week, and the age of children limited to nine years. Bills of 1833, 1844, and 1850, referred to persons engaged in textile manufactures only; but in 1867, Mr. Gathorne Hardy introduced and carried two measures—the Factory Acts Extension Act and Workshops Regulation Act—which completed legislation on the subject of hours of labour, by including glass-works, iron-furnaces, paper-manufactures, letter-press printing, bookbinding, and all trades where more than 50 persons were employed. The last Act to which he need refer was that introduced by the present Home Secretary in 1874—the Factories (Health of Women, &c.) Act — by which the hours of labour for women and young children, their meal-hours, the ages under which no child could be employed, and the degree of education which was to be required as the condition of employment, were regulated upon sound and intelligible principles. This Act applied to the textile manufactures only. By these Statutes, and by other Statutes directed specially to the regulation of particular trades—such as the Print Works Act, Bleaching Works Act, Lace

Factories Act, the Mines Regulation Act, the Metalliferous Mines Act, and others, this legislation had been extended to every branch of national industry. The Factories and Workshops Act might be classified under three heads — first, those relating to textile manufactures, such as cotton, wool, flax, silk, which were now regulated by the Act of 1874; second, bleach and dye-works; and third, iron-works, paper-manufactures, and others, which came under the Factories and Workshops Acts from 1865 to 1870. Altogether, nearly 2,500,000 persons were affected by these Acts. Of these, it was calculated that 1,000,000 belonged to the first class, and that of these, two-thirds were females and one-third males; while of the 1,500,000, who belonged to the second and third classes, the proportions were reversed, one-third being females and two-thirds males. For many years, all attempts at legislation in this direction had met with great opposition from those who believed that these measures would interfere with the due development of trade and the manufacturing industries of the people, and that the result, if it could be attained, would not compensate for the mischief which would be done. But experience had abundantly falsified those prophets of evil. It had been distinctly shown that the aggregate product of the industries affected, so far from being diminished, had really increased, that human ingenuity had been developed, and that the improvement in the condition of the working population itself had been great and remarkable. The Bill now before their Lordships dealt, as its title stated, with factories and workshops. In laying down what was to be considered a factory and what a workshop, it proposed to substitute for the old definition of those establishments one which was more consonant with common sense. It described a factory a place where steam, water, or other mechanical appliances were in operation for moving the machinery; and a workshop was deemed to be a place where manual labour was employed. The first part of the Bill dealt with the general law relating to factories and workshops, and brought under the operation of the law certain places not hitherto included —such as bakehouses, rope-works, ship-building yards, &c. The age for the employment of children in factories and workshops was raised from eight to 10 years; and there were provisions relating to the sanitary condition of these places, the safety of the workpeople, their employment, meal-hours, and education. The second part contained special provisions relating to particular classes of factories and workshops—for instance, in respect of overtime and night-work in particular trades; and an important special exception for domestic and certain other factories and workshops. The third part related to administration, penalties, and legal proceedings. The fourth part consisted of definitions, savings, and the application of the Acts to Scotland and Ireland. In short, the object of the measure was to consolidate the Statutes which had been passed on the subject, in order that those who were engaged in the various industries to which they applied might know what the law really was to which they had to conform, and might be able to conform themselves to it accordingly. As regarded textile factories, the Bill left the settlement which had been made in 1874, and which gained so much approval at the time, practically intact; and with respect to bleaching and dyeing factories, these places were treated as textile factories were with certain modifications. He would point out to the House, that by the provisions of the Bill workshops where no mechanical power was employed would be placed under fewer restrictions than in other cases. There was one clause restricting the general law—power was given to the Secretary of State, acting under the advice of the Inspectors—to relax the law with respect to particular establishments. The preparation of the measure was one of great difficulty, for legislation on the subject had been built up bit by bit and stone by stone; and the time had now come when the whole mass of legislation should be dealt with comprehensively, and should be consolidated into one law. He would point out to their Lordships, that they were hardly in this generation in a position to judge of the benefit conferred by legislation of the past; but witness after witness had stated to the Commission that diseases which used to follow on certain occupations had disappeared, and were now unknown. The legislation now proposed was not merely to affect the generation which now existed, but it would also affect the generation now coming on, and generations of Englishmen to the remotest period of time.

Moved, "That the Bill be now read 2ª."—(*The Lord Steward.*)

THE EARL OF SHAFTESBURY said, he had seen with great satisfaction the introduction of this measure, and must express his gratitude to the Government for having dealt with the subject in this comprehensive manner. The noble Earl might have carried his review farther back than he had done. This question of factory labour had been the subject of agitation under Nathaniel Gould, Richard Oastler, John Wood, and others, many years before the Ten Hours' Labour Act was passed, and there were men still living who were known in Lancashire as having taken part, long before that Act, in efforts to obtain legislative restrictions on female and infant labour in factories. In 1833, there were long discussions in Parliament on the subject, and the result was the appointment of the Factories Commission, whose Report was the basis of all the legislation which had been passed since that time. It was impossible to exaggerate the beneficial results of that legislation. The present Bill contained little that was new in the way of direct provision. Its value lay in the fact that it consolidated the whole of the existing Factory Laws—and he was lost in wonder at the amount of toil, of close investigation, and of perseverance, which the Home Secretary must have brought to bear on the preparation of this Bill. The right hon. Gentleman had had to deal with 45 Acts, extending over a period of 50 years, and in many cases contradictory of each other, often impossible to understand, and impracticable to be put into operation. By this Bill, the whole of this scattered legislation would be brought into one lucid and harmonious whole. He would especially refer to the distinction hitherto drawn between factories and workshops, which had been hitherto treated separately and distinctively, but which were now placed upon the same footing. Henceforward the entire legislation on the subject would be found in a single Statute, simple and intelligible. He had mentioned the Commission of 1833. In 1840 he moved for another Commission, whose inquiries were to extend to trades not covered by the Inquiry of 1833. He had been rebuked because there were tens of thousands of workpeople whom he had neglected, and who had not been brought within any legislation. His reply was that a man could not take up everything at once. The Commission was appointed; but the results were limited to the Collieries Bill, and not for the print-works. In 1860 he spoke to Sir George Lewis, who was then Home Secretary, and told him that the time had come for another Inquiry; because, since 1840, some trades had fallen out, and a good many new trades had come into existence. Their Lordships were acquainted with what had been done since that year. The general result of past legislation on the subject had been to introduce and establish a system of order, content, and satisfaction. The children in the factories presented quite a different appearance from that which was their characteristic in former times — they were now hale and stout, and the adults were grateful to Parliament for the interest it had shown in the amelioration of their condition. A system of order and discipline had been established, which made revolutionary agitation as against the ruling Powers throughout the country very difficult. England had the honour of being the model for other nations in the good work towards the perfecting of which the Bill was directed. As showing that even in the direction of protection for children something had still been required, he might mention that, in this Metropolis, thousands of children under four years old had been employed for many hours a day in the manufacture of lucifer matches. He thought the Secretary of State was entitled to great praise for the labour he had bestowed on his task, and it was his belief that the results of this legislation would correspond to the labour that had been spent upon it. He believed that some 2,000,000 of people of this country would bless the day when Mr. Cross was invited to become the Secretary of State for the Home Department.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

EDUCATION (SCOTLAND) BILL—(No. 69.)

(*The Lord President.*)

COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 5 *agreed to.*

Clause 6 (Restriction of casual employment of children).

The Duke of RICHMOND and GORDON moved to insert, at end of clause, as a separate paragraph—

"A school board may, by writing under the hand of the clerk, exempt from the prohibitions of this section any child for a period or periods named in such writing, and not exceeding in the whole six weeks, between the first day of January and the thirty-first day of December in any year."

Amendment *agreed to.*

Clause 7 (Exception to prohibition of employment of children).

The Duke of RICHMOND and GORDON moved to omit, from subsection 2, the words—

("Or otherwise does not interfere with the efficient elementary instruction of such child, and that the child obtains such instruction by regular attendance for full time at an inspected school, or in some other equally efficient manner,")

and insert, ("not being hours during which casual employment is hereinbefore prohibited.")

The Marquess of RIPON asked what was the object of the Amendment, which appeared to him to place an undue restriction on the freedom of parents? Why was not the clause to be retained in its original form?

The Duke of RICHMOND and GORDON said, the reason of the proposed alteration was, that inasmuch as by Clause 6 there was a provision that no children above 10 and under 13 should be employed in any casual employment after 9 o'clock at night in the summer, and after 7 o'clock in the winter six months; and for a six weeks' holiday, it was necessary to insert some protection to employers, so that they should not be punished for employing them within the excepted periods.

The Marquess of RIPON said, it seemed to him they were striking out an important protection to the rights of parents.

Amendment *agreed to.*

Clauses 8, 9, and 10 *agreed to.*

Clauses 11 and 12 *struck out.*

Clauses 13 to 16 *agreed to.*

Clause 17 (Resignation of member of school board and supplying vacancy).

Amendment made, by substituting ("eight") weeks for ("four") as the period after which, in default of a vacancy being supplied by a school board, the Scotch Education Department might interfere to nominate a new member.

Words *added*—

("Or may issue an order for an election of a person to fill such vacancy at such time and place and in such manner as the said Department shall determine.")

On Motion of The Duke of Richmond and Gordon, the following new clause inserted after Clause 17:—

(Disqualification of member of school board for non-attendance.)

"If a member of a school board absents himself during six successive months from all meetings of the board, except from temporary illness or other cause to be approved by the board, such person shall cease to be a member of the school board, and his office shall thereupon be vacant."

Clause 18 (Proceedings where quorum fails by death, &c.)

An Amendment made, line 30, after ("members,") insert—

("Or may issue an order for an election of such number of members at such time and place and in such manner as the said Department shall determine.")

Clause 19 (Expenses of higher class school buildings may be paid out of school fund and charged on rates).

The Duke of RICHMOND and GORDON moved, to leave out, at the commencement of the clause, the words from ("The") to ("enlarging"), both inclusive, and insert ("A school board having the management of"); and, line 33, leave out after ("Act") to end of clause, and insert—

("Shall maintain the buildings thereof out of the school fund in the same manner in which it is bound to maintain the buildings of any other school under its management; provided that nothing contained in this section shall in any way affect the powers of borrowing from the Public Works Loan Commissioners conferred on school boards by the principal Act.")

The object of the Amendment was to render the provisions of the Bill more clear, and to enable a school board having the management of any schools of the higher class to maintain them out of the school funds, and thus to put an end to that system of borrowing money which had been exercised to so great an extent, and which was fraught with considerable objection. It was very doubtful whether it would be possible to maintain these high-class schools under the provisions of the principal Act.

THE MARQUESS OF RIPON said, he thought it a mistake to apply Government Funds or local rates to any great extent to the purposes of secondary education. According to the principal Act, it was in the power of school boards to pay for the repairing and enlarging of certain secondary schools out of the rates; but, as he had said, he thought anything beyond this a mistake. It seemed to him that the persons who were benefited by secondary education were a class who ought to bear the expenses of such education themselves.

THE DUKE OF BUCCLEUCH said, he hoped that before this Bill was passed some means would be taken by inserting provisions for checking the reckless and extravagant expenditure of school boards in Scotland. That expenditure was, in many instances, perfectly alarming. These school boards were perfectly irresponsible; the ratepayers had no sort of control over them, and they spent large sums of money in building great edifices that were entirely unnecessary. Monster buildings were erected, in which 600 or 700 scholars were collected from various parts of the different parishes. The education, in his opinion, would be much more effective if given in smaller schools in the several parishes. There was no proper or sufficient audit, and, as he had said, there were no means of checking the extravagance. In regard to the question of secondary education raised by his noble Friend opposite (the Marquess of Ripon), he would remind him that in Scotland, in the country parishes the higher branches of education had hitherto been afforded by the parish schools. Many a man who had risen to eminence owed his original education to the high standard in the Scotch parochial schools. In the towns it was easy enough for a man to send his son to a secondary school; but in the large agricultural districts, where there were many tenant-farmers of considerable wealth and owning large holdings, they had not the means of sending their children to secondary schools. Hitherto that secondary education had, to a certain extent, been supplied by the parochial schools; but now they no longer cared for secondary education, because the schoolmasters had found out that it was more profitable to teach the three R's than to take the trouble of teaching the elementary branches of Latin, Mathematics, and Greek. As to checking expenditure, he thought that the provisions of the English Act should be extended to Scotland; and, as he saw that under the Endowed Schools Act a Commission was appointed with considerable powers, he should be very glad if those powers could be made to extend to all schools in Scotland. He did not believe in a Scotch Education Department at Whitehall. They would probably have an office there, with the word "Scotland" painted in black letters on the door; but the Inspectors would not have the knowledge or information that was required. What he desired to see in Scotland would be a kind of Board of Supervision, resembling those which were appointed to carry out the Poor Laws and Lunacy Laws.

THE DUKE OF RICHMOND AND GORDON said, he would make a few remarks on what had fallen from the noble Duke on the subject of secondary education in Scotland. The object of this Bill, and of the Bill which he had the honour of introducing the other day, was to assist in improving the standard of education. When the noble Duke complained that the schoolmasters were confining their efforts to elementary education, he would remind him that that was the necessary result of the working of the Education Act of 1870. The Act made it the duty of the school boards in Scotland to provide sufficient elementary instruction for all children requiring it; and, therefore, it ought not to be made a matter of complaint that these schoolmasters brought the children together in large numbers for the purpose of giving them the best elementary education that could be found. The noble Duke then went into the question of whether the Scotch Education Department established in London was well qualified to deal with the subject of secondary education, and he attached much importance to the question of audit. This last matter had been before them in drawing up the Bill; and, in consultation with his Colleagues, they came to the conclusion that the question of audit might more appropriately be made part of the Scotch Poor Law Bill, which probably would be introduced in "another place." The subject of audit should, they thought, be dealt with in that Bill, and might be applied through it to parochial board schools. His noble Friend the noble Duke said that the present system was very unsatisfactory. He said that the reckless building of schools which had taken place throughout Scotland was "perfectly alarming;" but he wished the noble Duke to recollect that this reckless building had taken place under the supervision and with the sanction of the Education Board at Edinburgh, with the existence of which he was so satisfied.

THE DUKE OF BUCCLEUCH said, he would like to add this remark as to the Board of Education in Edinburgh—that the Board in London had no power to check any expenditure the school boards might think fit to incur. It was not the number of schools to which he objected, but the extravagant character of the buildings. The noble Duke opposite (the Duke of Argyll) was aware of what he meant. They saw schools in the neighbourhood of Edinburgh which had cost £5,000 or £6,000 each—an unnecessarily large sum to spend on any school. The whole of the accommodation required in the particular parish where these schools were situated would be much better provided by two or three schools; and, in the county districts it would be far better to have two or three schools than to bring children from all quarters to one centre —especially when they considered that some of them had to come a long way from their homes.

THE DUKE OF ARGYLL said, he entirely agreed in the opinion of the noble Duke opposite. In many classes in Scotland the ratepayers, or the school boards representing the ratepayers, were extremely extravagant. Therefore, he thought, it would be desirable that there should be some control over them. He did not know whether the noble Duke (the Duke of Richmond and Gordon) contemplated any check on school boards in the present measure, or whether or not the Education Department contemplated anything of the sort—he was afraid not. They often found an ordinary parish school built with an expensive steeple, as if it were a church, costing some hundreds of pounds, whilst at the best it was a perfectly useless ornament.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 20 (Examination of higher class schools).

An Amendment made, line 15, after ("purpose") insert—

("When a higher class public school shall have been examined under the provisions of this section, such examination shall come in place of an examination under section sixty-two of the principal Act.")

Amendment *agreed to.*

Remaining clauses *agreed to.*

The Report of the Amendment to be received on *Thursday* next; and Bill to be *printed*, as amended. (No. 69.)

BISHOPRICS BILL—(No. 43.)

(*The Lord Steward.*)

REPORT OF AMENDMENTS.

Amendments *reported* (according to Order).

THE EARL OF ROSEBERY hoped the Government would not press for the third reading of this Bill before Easter. A Bill of such importance ought not to be hurried in its passage through their Lordships' House, and he understood that several Peers who took an interest in the subject had not had a sufficient opportunity of considering it.

EARL BEAUCHAMP said, the Bill had been before their Lordships' House for a month, and he gave a fortnight's Notice of his intention to introduce it. The noble Earl (the Earl of Rosebery) had been absent from the House for a reason they could all understand; but there had been ample opportunities for discussion. An Amendment had been moved, on the second reading, which was fully discussed. He could not accede to the noble Earl's request.

THE EARL OF ROSEBERY said, the Bill had great disadvantages. In his opinion, it affected the status of Members of their Lordships' House, and it ought not to be hurried unless there were ample reasons for hurrying it.

EARL GRANVILLE thought it would only be an act of courtesy to accede to the noble Earl's request.

Earl BEAUCHAMP said, he proposed to take the third reading of the Bill on Monday next.

The Earl of REDESDALE moved to insert a new clause—

"After the passing of this Act, any bishop having a seat in Parliament who shall be above 75 years of age, or who has held a a bishopric for 25 years or more, and who is not Bishop of London, Durham, or Winchester, may, if he desire it, petition the House of Lords to allow him to resign his seat in Parliament, though continuing to hold the see in right of which he has been previously summoned; and if there shall be at that time a bishop not already a member of the House who shall have held for two years or more a see entitled to a seat therein in due succession to any vacancy, the House shall accept the resignation of the bishop so petitioning and declare his seat vacant and inform Her Majesty thereof, and the bishop then first entitled to succeed to any vacancy shall thereupon be summoned to Parliament, instead of the bishop so retiring; provided that if more than one bishop shall at the same time petition as aforesaid when there is only one bishop qualified to succeed to a vacancy, the House shall accept the resignation of the most aged prelate."

The noble Earl said, that the only objection he had heard to the adoption of his proposal was, that it was an innovation to allow a Peer to resign his seat in Parliament. He did not think there was much in the objection. Bishops were not hereditary Peers. Formerly, they had seats in Parliament as Lords of Parliament by virtue of their tenures of Church lands; but now those lands were in the Ecclesiastical Commissioners, from whom they received their incomes, and they sat as Bishops—not immediately on appointment, but as vacancies occurred in the number entitled to be summoned. The right was, therefore, personal in the Bishop,'as had been recently shown, when the Bishop of Rochester, from whose diocese the new bishopric of St. Albans was chiefly formed, resigned the former for the new see, and gave it, in his own person, a representation in the House of Lords when it was the newest diocese in the Kingdom. The clause would simply give the Bishop, in case of infirmity, power to resign his seat. A Scotch representative Peer, although returned to one Parliament, might not be returned to the next. This was not the only innovation that had been made in the practice of Parliament in ancient years. Lords of Appeal only held their seats in the House while they held the office of Lord of Appeal. Another innovation within a very few years was the doing away with proxies. There being nothing objectionable in his proposal in itself, he hoped it would not be opposed on the sole ground of its being an innovation.

The LORD CHANCELLOR said, he was certainly somewhat surprised at such a clause coming from his noble Friend—he should have thought that his noble Friend was about the last person by whom such a proposal would have been made. No one was more careful than the noble Earl in proposing any change without sufficient reason, and he must say that this change, though apparently a small one, appeared to him one of the largest proposed for the purpose of obtaining the smallest benefit. In the first place, it was a complete departure from what had hitherto been the Law of Parliament. In the House of Commons a Member once elected could not resign his seat during that Parliament—recourse was had to a fictitious proceeding to determine his Membership. In their Lordships' House, any hereditary Peer could not resign his seat under any circumstances. An Irish representative Peer once elected was elected for life, and could not resign—a Scotch representative Peer was elected for that Parliament—he might decline to be re-elected, but he could not resign his seat during that Parliament. In neither case had any means been devised by which an elected Peer could divest himself of his duties in Parliament. He did not say whether these things were desirable or not, but certainly the change proposed by his noble Friend's clause was quite as great as if it applied to the representative Peerage. His noble Friend proposed to give this power of resignation to one particular Estate in that House—he proposed that a Bishop should be enabled to resign his seat in Parliament while continuing to hold the see in right of which he had been summoned to Parliament. The Bishops held their seats by virtue of their sees. Provision had been made by which a Bishop incapable of performing the duties of his office was enabled to resign—he resigned his see, and with his see his right of sitting in Parliament. But his noble Friend's proposal would, if agreed to, enable a Bishop to divest himself of his office piecemeal—he might retain his Bishopric and its emoluments, but resign his seat as a Member of their Lordships' House. If it was a right thing for a Bishop to attend the House, he thought it was a very singular step, and one which was open to great objection, to allow him to come before the public and say he could perform part only of his duty, but that he would still retain all the emoluments. A Bishop would then be placed in a very invidious position. The change proposed was, in his opinion, very undesirable, and any tampering with the question would involve the risk of shaking the foundation on which Spiritual Peers held their seats in the House. In such a matter change was undesirable, unless a very clear case could be made out. He hoped his noble Friend would not press his clause.

Lord HOUGHTON also thought that this was rather an unexpected change to come from the Conservative brain of the noble Earl. Such a clause as that proposed by the noble Earl, if agreed to, and a Bishop were allowed to hold his see and retain his emoluments while he was unfit to discharge his duties in Parliament, would inevitably result in weakening respect for the Clergy, and would have the effect of familiarizing the public mind to the thought that Bishops were better in their dioceses than in the House of Lords.

Earl GRANVILLE confessed that he had not paid much attention to the subject; but, judging from what had been said in the course of this short discussion, it appeared to him that the proposal was not altogether unreasonable. With regard to what had fallen from the noble and learned Lord on the Woolsack, it was true that Irish representative Peers were elected for life, and that a Scotch representative Peer could not resign until the time of a new Election; but, in the House of Commons, it was quite clear that Members could resign by accepting certain offices. The balance of convenience in such an arrangement appeared to be very great. If a Bishop felt that he was no longer able to be an active Member of their Lordships' House, but that he might still be useful in his diocese, there could be no insuperable objection to allowing a younger and more active man to take his place in Parliament. He thought, moreover, it was important that new Bishops should take their seats as early as possible, as that would be a great means of guarding them against the possibility of looking at public matters from a merely ecclesiastical point of view. He had not a strong opinion on the matter; but, as the general view seemed to be against the proposal, he had thought it right to say so much in its favour.

The Earl of HARROWBY said, he was not insensible to some of the objections which had been stated by the noble and learned Lord on the Woolsack. Still, he thought that the multiplication of Bishops who would not have seats in that House was a great evil, as it was very important to the country that persons who had such influence over the Clergy should be brought into contact with laymen, and especially with those who had to deal with high affairs of State, and everything ought to be done to prevent the Clergy of this country from becoming a distinct class or caste. Danger would arise if there were a numerous class of Bishops, who would be purely leading Clergymen, and would be, perhaps, invidiously distinguished from the Bishops in that House by being so.

The LORD CHANCELLOR pointed out that the object of the Bill was the creation of four new Bishoprics, and any general enactment of the character contemplated by the Amendment would be quite foreign to the measure.

The Earl of REDESDALE said, he could not see any force in the objections which had been raised to his proposal. After what had been said, however, he would not press the House to a division; but he would ask that the question might be put to the Vote, in order that there might be a record that the proposal had been made.

The Earl of ROSEBERY remarked, that the discussion showed how important it was that the Bill should have further consideration. It certainly would be open to grave observation if a Bishop found himself unable to attend in that House, although he was able to attend to his higher and more important duties.

Clause *negatived.*

Amendments made; and Bill to be read 3ª on *Monday* next; and to be *printed*, as amended. (No. 70.)

ELEMENTARY EDUCATION PROVISIONAL ORDER CONFIRMATION (LONDON) BILL [H.L.] (NO. 67.) A Bill to confirm a Provisional Order made by the Education Department under "The Elementary Education Act, 1870," to enable the School Board for London to put in force "The Lands Clauses Consolidation Act, 1845," and the Acts amending the same: And

ELEMENTARY EDUCATION PROVISIONAL ORDERS CONFIRMATION (BIRMINGHAM, &C.) BILL [H.L.] (NO. 68.) A Bill to confirm certain Provisional Orders made by the Education Department under "The Elementary Education Act, 1870," to enable the School Boards for Birmingham, Lewannick (Cornwall), and Mold (Flint), to put in force "The Lands Clauses Consolidation Act, 1845," and the Acts amending the same:

Were *presented* by The LORD PRESIDENT; read 1ª; and *referred* to the Examiners.

House adjourned at Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 9th April, 1878.

MINUTES.] — NEW MEMBER SWORN — The Right hon. Frederick Arthur Stanley, *for* Lancaster County (Northern Division).

PUBLIC BILLS—*Considered as amended—Third Reading*—Bills of Exchange (Acceptance) * [135], and *passed*.

Third Reading—Metropolis Management and Building Acts Amendment * [132], and *passed*.

QUESTIONS.

PRISONS ACT—LETTERS TO PRISONERS' FRIENDS.—QUESTION.

MR. WHITBREAD asked the Secretary of State for the Home Department, Whether, in future, a prisoner will be permitted on his reception in any local prison, either after conviction or on removal, to write a letter to his friends?

MR. ASSHETON CROSS, in reply, said, that an alteration would be made in the prison regulations to place the local prisons on the same footing in the respect referred to with the convict prisons.

INDIA—THE RECENT FAMINE IN BOMBAY.—QUESTION.

MR. POTTER asked the Secretary of State for India, Whether it is the case that the arrears of Revenue for last year are to be collected in those districts of the Bombay Presidency which suffered from the recent famine; and whether the crops of this year had been severely injured by blight in a considerable portion of the same districts?

MR. GATHORNE HARDY: Sir, out of a total sum for collection amounting to about £2,629,000, £2,334,000 was collected by the 31st of August last, remissions were granted to the extent of £21,000, leaving a balance of £274,000, which it was hoped would be recovered. In a despatch, dated December last, Lord Salisbury expressed his opinion that—

> "The results are most creditable to the Revenue officers of the Bombay Presidency, and are satisfactory even if all the suspended balances be not recovered;"

adding, that he trusted that Government, in issuing instructions for their realization—

> "will require moderation from all officers, and will take care that they do not in any instance press their demand to such a point as to hinder recovery from the effects of the famine in the distressed districts."

In answer to the second part of the Question, I have to say that the crops of the present year have, in some cases, suffered from blight, but not to an extent to cause anxiety. Writing in February, the Government of Bombay say—

> "Although in some districts the reports regarding the state of the crops are not as favourable as could be desired, and prices are ruling generally high, still we trust that there will be no necessity for any future measures of relief."

RUSSIA AND TURKEY—TREATY OF SAN STEFANO—ENGLISH HOLDERS OF TURKISH BONDS.—QUESTION.

MR. H. B. SHERIDAN asked Mr. Chancellor of the Exchequer, Whether any and what steps have been taken by Her Majesty's Government in its communications with Russia and Turkey on the subject of the Treaty of San Stefano, involving, as such Treaty does, the alienation of lands at present belonging to the Ottoman Empire, to protect the interests of the English bondholders, to whom such lands are pledged; whether, considering that at least one hundred millions sterling, the part of the Turkish debt estimated to be held in England, was advanced to the Turkish Government on the faith of the Treaties of 1856 and 1871, by which Treaties the territorial integrity of the Ottoman Dominions was guaranteed by the six Great Powers of Europe, including Russia, Her Majesty's Government will ask the Governments of Austria, France, Italy, and Germany to co-operate with Her Majesty's Government for the protection of the interests of the English and European bondholders; and, considering that the bonds and mortgages of the English creditors are secured on the present Revenues, Taxes, Customs, Tithes, and Duties of the Ottoman Empire, and that the land, and the whole Imperial resources are specially pledged and mortgaged for the repayment of this debt, Her Majesty's Government will, if necessary, represent to Russia and Turkey that, in accordance with the recent practice of the Great Powers, any Lands, Taxes, Duties, or Customs alienated from Turkey must be charged with its fair and proper proportion of the debt due to the Foreign bondholders; whether, in the event of a Congress being held, and one of the points for consideration being the separation from Turkey of some of her richest and most productive provinces in Europe and in Asia, Her Majesty's Government will represent, and, if necessary, urge upon the assembled Powers the rights and claims of the English and Foreign creditors upon such land and provinces; and, whether Her Majesty's Government will further, if necessary, represent that any war indemnity agreed to be paid to Russia by Turkey, or any instalment thereof, cannot be taken out of Customs, Taxes, or Duties already pledged and mortgaged to the Foreign bondholders until the dividends annually due to the mortgagees are first paid?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he did not wonder at the hon. Member having put the Question, or at the length at which it appeared on the Paper, considering the interest which was generally felt in the subject to which it referred. The Question was undoubtedly one of great importance; but he had a very brief answer to make to it, which was that at the present time he was not able to say anything definite as to the steps which would be taken in the matter.

BILLS OF EXCHANGE—ACCEPTANCES.

QUESTION.

SIR JOSEPH M'KENNA asked Mr. Attorney General, Whether his attention has been called to the ruling of Mr. Baron Dowse in the Exchequer Division of the Irish Law Courts, on Friday last, in the case of Shaw *v.* Kelvey, and to the observations of that learned judge to the effect that a recent judgment affecting the acceptance of bills of exchange delivered by Mr. Justice Grove and Mr. Justice Denman, had revolutionized his, Baron Dowse's, ideas, and those of everyone else on the subject of what constituted a valid acceptance; and whether Her Majesty's Government will assist in passing rapidly through both Houses of Parliament the requisite amending Bill?

THE ATTORNEY GENERAL: Sir, my attention has been called to the ruling of Mr. Baron Dowse, and I have been much struck with the fact that appears from the observations of the learned Judge—namely, that on the subject of what constitutes a valid acceptance of a bill of exchange, he is not only familiar with his own ideas, but also with the ideas of everybody else. No doubt, according to the law as declared by Mr. Justice Grove and Mr. Justice Denman, many bills of exchange have been accepted in a manner which is not valid. The question is one of considerable importance in a commercial community, and a Bill has been introduced to meet the difficulty, and the Government will use all their efforts to secure the passing of it as speedily as possible.

THE ARMY RESERVE.—QUESTION.

COLONEL NAGHTEN asked the Secretary of State for the Home Department, Whether his attention has been called to the number of police constables who belong to the Army Reserve, and what he proposes to recommend to be given to their wives and children during the time they are employed in the Regular Service?

MR. ASSHETON CROSS: I believe there are about 120 of the Army Reserve who have been in the police force, and I am told that by the regulations which have been issued by the War Office, so far as regards the payment of persons who have been called out, 6*d.* a-day will be given to the wives, and 2*d.* a-day for each child under 14 years of age, so long as the men are serving in the Regular Army. There is no fund available out of which I can pay them anything beyond that sum.

PARLIAMENT—THE EASTER RECESS.

QUESTION.

Mr. BATES asked the Chancellor of the Exchequer, If it was still his intention to move the adjournment of the House for the Easter Recess on Tuesday next.

The CHANCELLOR of the EXCHEQUER, in reply, said, he trusted it would be in his power to move the adjournment of the House for the Holidays on this day week. That, however, depended to a certain extent on the length of time the debate on the Royal Message would occupy. It would be inconvenient to adjourn before the conclusion of the debate on the Budget and the financial measures, and he hoped it would be resumed on Thursday. He was, however, in the hands of the House, as it depended on the length of the debate about to be resumed what arrangements he could make as to the other Public Business. If, owing to the length of the debate, he was not able to make the arrangement he contemplated, he would be reluctantly compelled to ask the House for a day beyond Tuesday next.

ORDERS OF THE DAY.

POSTPONEMENT OF MOTIONS.

Mr. DILLWYN asked the hon. and learned Member for Coventry, If he would be willing to postpone the Motion standing in his name, in order to allow the adjourned debate on the Queen's Message to proceed?

Sir HENRY JACKSON, in reply, said, he was quite willing to do so, if other hon. Members who had Motions on the Paper would do the same.

The Marquess of HARTINGTON expressed a hope that other hon. Members would be willing to follow the example which had just been set by his hon. and learned Friend. It was desirable that the debate should be continued at once, and he believed that it would be quite possible to bring it to a conclusion that evening.

The Chancellor of the Exchequer

Mr. SHAW LEFEVRE expressed his willingness to postpone the Motion which stood in his name.

ORDERS OF THE DAY.

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MESSAGE FROM THE QUEEN—ARMY RESERVE FORCES.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [8th April],

"That an humble Address be presented to Her Majesty, thanking Her Majesty for Her Most Gracious Message communicating to this House Her Majesty's intention to cause the Reserve Force, and the Militia Reserve Force, or such part thereof as Her Majesty should think necessary, to be forthwith called out for permanent service."—(*Mr. Chancellor of the Exchequer.*)

And which Amendment was

At the end of the Question, to add the words "but that this House regrets that Her Majesty's Ministers have thought it right to advise the calling out of Her Majesty's Reserve Forces, considering that no great emergency has been shown to exist, and that such calling out of the Reserves is neither prudent in the interests of European Peace, necessary for the safety of the Country, nor warranted by the state of matters abroad."—(*Sir Wilfrid Lawson.*)

Question again proposed, "That those words be there added."

Debate *resumed.*

Mr. E. JENKINS said, that last night, when the debate was adjourned, some signs of impatience were manifested on the other side of the House; and he only adverted to that for the purpose of saying that it was a regretable fact that, in the critical circumstances in which this country was placed, there should be manifested, not only in this House but in the country, a desire to avoid a frank and fair discussion of the issues which were at stake. He felt that whatever the current of opinion which swayed the country, and however strongly it might be led by suspicions to feel that its interests were involved when they were not involved, that it was their duty, with high judicial firmness and discretion, to make a protest against a course which he could not but feel might be in accordance with the feeling of a majority of the House, though he hoped not in accordance with the feeling of the majority in the country. They were steadily and swiftly pursuing a warlike course, without any intimation whatever from the master mariners of the objects and designs to which they were pursuing their way. He could not believe that it was a right thing that a free people should have its destinies at this time left in the hands of a small coterie of persons pursuing an end undefined and unknown. He had very little confidence in the skill and seamanship of those who were steering the ship of the State. He did not say what course he would take if a division were forced on the House, because one might feel he was not ready to challenge a division if he was called upon to do so; but he (Mr. Jenkins) would feel it his duty to enter his protest against the dangerous course which he believed the Government was pursuing. The words and acts of some of Her Majesty's Ministers justly created in the country the gravest apprehensions. They got nothing from the Government but vague generalities, and received no indication of any high principle either of duty or of policy which it was their intention to pursue. It was not merely so in that House. In the higher sphere of Elysium, they found a figure performing there exactly as it used to perform in that House. There, Bobadil still strutted the stage, still flourished his sword, still talked magniloquently all sorts of vapouring ideas and sentiments. The noble Earl still played the part he played of yore in that House. He had been translated, not transformed. From the noble Lord at the head of the Government they had a right to expect some clear and definite statement, but they had heard nothing satisfactory to the common sense and judgment of the nation. Let them look at the despatch which was said to be by Lord Salisbury, but which bore the traces of another hand. He contended that it was not true that when the despatch was written the hopes of a Congress had ceased. In fact, they were rather improving, because Austria was using its best endeavours to bring Russia to make concessions to the public opinion of England. He had looked into it for information of the objects to which the policy of the British Government was directed, and they stated the objects to be the maintenance of the Empire, the freedom of Europe, and the greatness and security of the country. He had listened in vain for any specific information from the Government benches of the manner in which the interests of the British Empire were compromised by the Treaty of San Stefano, or by the proceedings of the Russian Government. "The freedom of Europe" was a vague and curious phrase, and they could tell in a moment who its author was. But something more definite than this was wanted when the House was discussing a question of peace or war. He was sure that Europe would remain as free as she had been, and would continue to develop her freedom without the mischievous interference of Her Majesty's Government. Then, the third object of the Government was declared to be "the greatness and security of the country." Well, these depended on a true conception by the Government of the country's highest interests—namely, just policy abroad, and proper economy at home, a careful husbanding of its resources, and an avoidance of quarrels and useless menaces. But all these things were wanting in the policy of the Government, who were doing their best to make war almost inevitable. In the objects of the Government, as stated in the despatch, he could discern no evidence of any deadly danger to justify a policy which appeared to him to be one of adventure, brag, peril, and want of principle. Last night the Secretary of State for India stated that the Government had done all they could to bring Europe to one mind. When it was thought for the moment that Russia was dangerously menacing Constantinople, did the Government wait for united action with Austria, Germany, and other Powers? Instead of that, they passed the Dardanelles with a Fleet which was altogether too large for the purposes which were avowed. The Secretary of State for India had said that the Government had done all they could do for the purpose of promoting the Congress; but it had been shown the previous night to demonstration in "another place" that the discussion between the Government and the Russian Government was a mere logomachy, and the more he had listened to the Chancellor of the Exchequer on this subject the less he was satisfied that they had any just ground of complaint against Russia. But, whenever there appeared to be hopes of peace, there was some malign influence acting on the

Government, causing it to take a step which rendered peace almost impossible. Again and again this had occurred. It happened, when the Fleet was sent to the Sea of Marmora, and when objection was made to the embarkation of the Russian troops at Buyukdere, and just as Russia was about to give way, the Government issued Lord Salisbury's Circular. He asked, whether it was right and dignified to do this just as Russia, under the influence of Germany, was becoming willing to swallow the bitter pill, and to make concessions to us, as he hoped she would do, because it would give her a better moral position than we had? The noble Lord at the head of the Government had made a speech in "another place" which was full of bitterness, and calculated to rasp and excite the feelings of Russia. Lord Salisbury, in his recent despatch, had said—

> "By the Articles erecting New Bulgaria, a strong Slav State will be created under the auspices and control of Russia, possessing important harbours upon the shores of the Black Sea and the Archipelago, and conferring upon that Power a preponderating influence over both political and commercial relations in those seas."

Was this objection sustainable, and was it consistent with the position of Lord Salisbury at the Conference at Constantinople? There had been a good deal of misunderstanding in this country with regard to the meaning and object of this New Bulgaria. The area of it was no larger than that agreed upon by Lord Salisbury at the Conference; but there was an important difference between the Conference area and that proposed under the Treaty of San Stefano. He held that the Government had no right to suspect Russia because of her possessing ports on the shores of the Black Sea and the Archipelago, and to suggest that the effect would be to give her "a preponderating influence over both political and commercial relations in those seas." He thought their objection was not maintainable. An important strip on the Ægean was proposed to be given to the New Bulgaria. A gentleman, who was a Turk and a Russophobist, had said to him that the power of Turkey was transient, that it would be wise to develop the liberties of the people in the Balkan Peninsula, and that they should have an opening in the Ægean in order that their commerce should flow to the West. What right had we to suspect that Russia desired to obtain a preponderant influence over the political and commercial relations in the Black Sea and the Archipelago when she made a proposal that met with the approval of a Turkish Russophobist? The history of the relations of Russia to the Danubian Principalities was one of the utmost generosity, and reflected great credit on Russia; and if this was the case when Russia and her Rulers were less liberal than they were now, they might feel that, in the future, Russia would carry out that traditional policy of generosity. What was the position of Roumania at the present moment? A spirit was permeating her population which we could not look upon without the highest admiration. Five millions of people were ready, if necessary, to take to the sword in order to vindicate what they conceived to be their rights. Was that not a lesson to us of what might occur in Bulgaria, Servia, and other parts of the Balkan Peninsula? Could they believe that once these people were set free and got independent government, they were likely to be found the tools of any despotic and foreign Government, even if Russia had been able—thanks to the policy pursued by Her Majesty's Government—to gain a position of temporary control over these peoples? Nevertheless, he believed that these Principalities would develop into independent and powerful States. There was a question on which a word or two might be said—all the more that the right hon. Gentleman the Member for Greenwich had expressed himself in rather unjust and severe condemnation —he meant the question of Bessarabia. It had excited in this country a strong feeling, and it was, no doubt, unfortunate that the Russian Government had adopted the manner they had in bringing this matter before Europe. But let them do justice to Russia. He believed that if we had been in Russia's position, we would make the same demand she was now making. Under the Treaty of Bucharest of 1812, the Pruth and the Danube were fixed as the limits between the Turkish and the Russian Empire; while, under the Treaty of Akermann, at a later period, Russia also acquired the control of two of the mouths of the Danube. The Turks fortified the right bank, which ran along the St. George's Channel. In 1856, without any reason except motives of policy, the Western Powers resolved to push Russia back from the Pruth and the Danube, and sought to interpose a line between Russia and Turkey. The Emperor would, undoubtedly, feel that the honour and dignity of his country were affected by what was then done, and one could appreciate the feeling which led him to desire that the natural boundaries of his territory should be restored, and that the lines of the Pruth and the Danube should once more become its frontier. He had high authority for stating, that when General Ignatieff was passing through Roumania in the earlier part of the war, the Roumanian Prime Minister gave him private assurances that there would be no objection to a transfer of this territory. There could be no doubt that Russia was prepared to allow this matter to come before the Congress, and it was the interest of Russia that it should. He had listened with pain, therefore, to the remarks that fell from the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) on the subject, because he felt that his magnificent sympathies were thrown away. He (Mr. Jenkins) was anxious to know what was now the position and attitude of Her Majesty's Government. The right hon. Gentleman the Secretary of State for India admitted that the Turkish Power was overthrown. The Sultan stood in the position of that unhappy master, "whom unmerciful disaster followed fast and followed faster;" but it was to be hoped that out of the ruin of the Turkish Empire there would emerge some independence and some freedom. The Roumanians did not believe in English protection. They knew that England would never fight to give them Bessarabia or the freedom of the Danube. They could not depend upon England, her declarations having been selfishly confined to her own interests. The Government appeared now, however, to have changed their front. They had started by defining "British interests;" and the Secretary of State for India had declared against entering upon sentimental wars, and saying that our only excuse for drawing the sword would be for the protection of these interests. Now, after undergoing a sort of revolutionary education, the Government were going in for vague declamation upon the freedom of Europe and the obligations of International Law. They had started with the idea of using force to compel Turkey to obey the public law of Europe and free her peoples, and now they were threatening to use force for the purpose of preventing Russia giving freedom to these peoples. The Government had accepted limitations with regard to the Congress from France, and had refused to accept them from Russia. He could state on the highest authority that France had refused to enter the Congress except on the condition that no questions were raised except those which arose directly out of the Treaty of San Stefano. That limitation was accepted by the other Powers; but when Russia reserved the right of withdrawing from the discussion of any question at the Conference to which she objected, the English Government refused to assent to that condition. The Government had hidden from the House many things which its Members could hear of without the least difficulty in diplomatic circles at Paris or Vienna. The Government ought to explain how it was that they had from time to time kept enlarging their demands upon Russia until they were more than that Power could possibly concede. That was a dangerous policy, and one entirely antagonistic to prospects of peace. With regard to Austria, it had last night in the House of Lords been demonstrated clearly that, whatever might happen, this country could not look to Austria as an Ally. It was true we ought alone to face united Europe on a matter of principle; but an Anglo-Austrian Alliance was an utter impossibility. The money we were now spending in war preparations ought to be devoted to a higher and nobler purpose. The magnificent Empire of the Queen contained within it many and diverse nationalities, and to bring together in closer union its *disjecta membra* would be an object worthy of the policy of statesmen—a policy of wisdom and hope and life. But, as far as he could see from their acts and words, the policy of the Government would only lead us into war, and was, therefore, a policy of madness, disaster, and disgrace.

MR. HANBURY said, he had heard with satisfaction the assurance by the hon. Member at the commencement of his speech that he would deal with facts, for it had been the complaint on the Government side of the House that the speeches of hon. Members opposite had displayed a singular absence of facts, and had shown too much inclination to rest their case upon sentiment and generous generalities. From an hon. Member who had denounced Poland as a bore, he was not surprised to hear an elaborate vindication of the conduct of Russia towards Roumania. From a man who was inclined to justify conduct of that kind anything might be expected; and, therefore, he should not be surprised to hear the hon. Member defend the conduct of Russia in refusing to submit the Treaty to the Congress, setting at defiance all International Law. All the hon. Member's criticisms upon Lord Salisbury's despatch did not get rid of the fact that Russia came promising to give freedom to those unfortunate people of the Balkan Peninsula; but, after reading that despatch, it was impossible to come to any other conclusion than that this promised freedom was simply a change of masters, and that Russia's promised settlement of the Eastern Question was a peace pregnant with many wars. The war had had some good results—the thunderstorm had cleared the air and dispelled many illusions. The past war had shown two things — that the strength of Russia was by no means so formidable as at one time we supposed it to be; and it proved indubitably, on the other hand, that Russia had not been animated by such honourable and straightforward intentions as it had been the cue of hon. Members opposite to represent her. It had also been shown that the Turkish people could speak out with boldness and energy hardly to be expected of them; but, on the other hand, if they looked at the civil legislation or at the Generals who had commanded the Forces, they must come to the decision that, whatever they might think of Turkey, their Rulers, with but few exceptions, were about the worst in the world, and were a disgrace to any country. Much light had also been thrown on the characteristics of the subject-races of Turkey, some of whom had shown such bravery in war as to excite a wish on the part of every Englishman to do them justice; but he was bound to confess that if the people of the outlying Provinces were to have freedom, it could hardly be expected under the rule of Russia. The whole history of the attitude assumed by Russia towards Turkey forbade such an anticipation. Her recent conduct towards Roumania showed what were her views with respect to liberty and independence. These facts ought frankly to be recognized. No doubt, very considerable changes would have to be made in South-Eastern Europe; but he trusted that we should insist on the settlement of the question being really genuine, upon the bases of nationalities and national rights. The time had already come for such a settlement; and we need not wait for a Foreign Minister, too English to dabble in intrigue, but too timid to meet it with bold speech. That was one evil against which we should have to guard in future; and there was another, resembling in some particulars the fatal Trojan horse—namely, the speeches of hon. Members on the opposite side of the House. As long as Russia intended to give freedom, it was idle to stand in her way; but, when she insisted on giving an illusory and artificial freedom, from which she hoped to gain future advantage, no fear of isolation ought to influence us. As for isolation, many people thought it very dangerous; but all those who most complained of it were the very persons to point out that no alliance was possible. However, no one could ignore the fact that we should ultimately have to face Russia single-handed in Asia, where no other European country had interests. He could understand, if he could not sympathize with, the position of hon. Gentlemen like the hon. Member for Carlisle, who hated war, and who still believed in diplomatic promises; but he could not understand the fatalistic view of the question as a law of nature. It might, indeed, be a law of nature, but certainly not of English nature. With respect to the subject Provinces, he confessed that no one was more pleased than he when the Government asked that Greece should be admitted to the Conference. He was equally disappointed when he found that Russia had raised an objection. He deeply sympathized with many of the subject-populations that had suffered from the war, and especially with Montenegro; and he hoped that the territory they would receive would be really Montenegrin, instead of that proposed for them, which contained about one-third of Mahomedans. Servia, too, deserved her independence; and no one would grudge it to Roumania—that gallant little Latin State, lying amongst Slav races, which had been treated with so much ingratitude by Russia. There was one great argument in freeing the peoples he had named, which applied particularly to them, that there would be little difficulty in making autonomous States completely free. They had had autonomy, more or less, for some time; but absolute liberty was a much better thing than home rule, which opened the door for foreign intrigues. Again, they were not the heart of Turkey, but outlying Provinces, which had already shown some capacity for self-government. Then, with respect to Bulgaria, he regretted to say he believed the people of that country did not possess one of the qualities necessary for self-government. They all knew that when the tide of Mahomedanism swept over Western Europe a large proportion of the people of Bulgaria embraced the Mahomedan faith. It was all very well to talk of driving the Turks out of Turkey in Europe bag-and-baggage—whatever that meant—whether the people or the Rulers; but if the Mahomedan population of Bulgaria remained, they ought to be secured the same rights and privileges which were to be accorded to the Christian races. But, apart from the question of race, there was the question of the relations of the Christians among themselves. The great vice of those countries was that of fanaticism; and nowhere was there a greater development of it to be found than in Bulgaria. The Christians were predominant; and not only did Christians quarrel with Mahomedans, but the various Christian Churches—and there were several—quarrelled among themselves. The great aim of Bulgaria was not so much to get rid of the Turks as the Greek bishops and priests, who, by their superstition, ignorance, and venality, were a greater curse to the country than any species of despotism could be. Travelling over Turkey, as he had done, one thing struck him especially as to the Christian population—namely, that wherever any element of civilization or progress was to be found among them, those who possessed it had become affiliated to the Church of Rome or to some Protestant Church. It was remarkable to see the progress that was made in those Churches which had come, through the medium of missionaries, in contact with Western civilization. The Russian idea of Christianity was the Christianity of the Greek Church, and the Greek Church would, no doubt, be cared for; but he hoped that provision would also be made for the protection of the Christians of whom he had spoken. Other races had gradually been training themselves for self-government, but the Bulgarians had not. The Christian population had been under the strong hand of the Patriarch of Constantinople, and the bishops and priests he sent them were not men of their own race, but Greeks, who sold the Sacraments and trafficked in their sacred rights, but did nothing whatever to train the people in the art of self-government. He did not think there was a single man in the country capable of taking the lead. Roumania, Montenegro, and Servia had won the right to self-government, but in what respect had Bulgaria done so? In no respect whatever. From time to time the people had been pressed to rebel, and they refused. At last they were goaded into a sham insurrection, and the most had been made of it by Russia; but of all people, the Bulgarians were the least capable of winning their freedom. The sword of Bulgaria was the sword of the Czar, and it might be again unsheathed to amalgamate into one great country all the districts which lay adjacent to Bulgaria, the Ægean, and the Black Sea. He was struck with the letter recently published, written by that true friend of Bulgaria, Lady Strangford, in which she said—"In God's name give us Turks for our masters; let us be Turkish subjects, not Russian!" For his part, he would welcome the day when Bulgaria would be free from Turkish rule, but it would be an evil day when it fell under that of Russia. There would then be no freedom for her people; while if she remained even under Turkish government, the influence of England would, he believed, procure for her practical self-government. Three years ago the Porte gave these people a new Constitution. They had now their own bishops and priests, and would be able gradually to learn the principles of freedom and self-government, which would make them a strong bulwark against the power of Russia. It would, in his view, be suicidal for the English Government, if it had the freedom of these peoples at heart, to allow a course to be taken which must inevitably hand them bodily over to the despotic rule of Russia, and so permit the existence of a standing menace to our power in the East. The massacres in Bulgaria, which so thrilled Europe, were, if reports of statements made by Midhat Pasha were true, permitted to take place under Russian counsels. Midhat Pasha was reported to have stated that when Turkey proposed to put down the insurrection in Bulgaria by regular troops, the Russian Ambassador said—"No, let it be suppressed by the Bashi-Bazouks." The atrocities by these Bashi-Bazouks formed the cry with which Russia assailed Turkey; but it should not be forgotten that it was under Russian advice that the Bashi-Bazouks were permitted to become red-handed in the slaughter of Bulgarians. Having regard to the history of her interference in Bulgaria, he maintained that Russia had advanced on a most dangerous principle. With reference to the real condition of Bulgaria—while he did not wish to vindicate or uphold the rule of the Turkish Pashas, he was bound to admit that, if there was one Province to which he could point with any sort of satisfaction, it was Bulgaria, which had been fairly well governed. Why, he asked, was there so much enthusiasm about this persecuted Province in European Turkey, and not for the people similarly persecuted in Asia? Was it on account of their Christianity? From what he had seen of Turkey, he honestly believed that, as a rule, the Mahomedans were by no means the intolerant people they were supposed to be. These persecutions mainly proceeded from the various Christian sects—one persecuted the other, and, above all, there were persecutions of class by class. Above the rank of peasant in Turkey was to be found every kind of corruption, whether among Christian or Mahomedan rulers; whilst amongst the peasantry he knew of no more brave, sober, and honest people, whether Christian or Mahomedan. If Russia, on pretence of her interest in Christianity, invaded Bulgaria, how would she be restrained in her holy crusade and zeal if she once got the power of winning those districts of Syria which were of importance to us, but still more to Christendom, as the Holy Land? We, of all people, were those who ought emphatically to protest against having one argument for Europe and another for Asia. If Turkey in Asia was, as he believed, to occupy in the future an important position which would affect our interests, he hoped the House would be supplied with fuller information respecting that part of the question than the Government had given up to the present time. He believed that the object of Russia in excluding Turkey in Asia from the questions to come before the Congress was that she might gradually take over that part of the Ottoman Empire. In 1872, Lord Granville had telegraphed to their Representatives in Turkey—

> "Let me know by two o'clock to-morrow whether the Turkish authorities generally may be said to be giving effect to the several edicts in favour of Christians?"

Again, in 1873, Earl Granville had telegraphed, inquiring whether the evidence of Christians was admitted in Courts of Justice in Turkey on the same footing as that of Mahometans, and what were the laws respecting the military service and the devolution of real property in that country? After they had listened to the declamation of the right hon. Gentleman the Member for Greenwich lately, did they think it possible, that so recently as 1872 and 1873, the late Government were so entirely ignorant of the condition of the Christians in Turkey as these telegrams implied they were? No Foreign Office in the world was so lamentably deficient in information respecting Turkey in Asia as our own. There was an idea entertained in this country that the most oppressed people in Turkey were the Christians; but, from what he had himself seen, he believed that those who suffered most from the misgovernment of that country were the Turkish Mahomedan peasants, who had no one to take up their cause. At the present moment the Foreign Office had no reliable information with regard to the different populations in Turkey in Asia. He trusted that our future diplomatic action would be based upon better information on these subjects than we had hitherto possessed. They must recognize the change which was coming over

Russian diplomacy. It had been to a certain extent a European diplomacy, constructed mainly by Germans; but it was now passing into the hands of the Ignatieffs and the Schouvaloffs, and others, who were introducing a new kind of diplomacy into Europe. He trusted that in future the policy of this country would rest upon a less artificial basis than the Treaty of Paris—upon natural and national rights. Let them insist that Russia should not grant a sham freedom, and let there be a generous rivalry between the two countries to see that the freedom which was given should be a generous, hearty, and real freedom. He hoped that the Government would support, so far as it was possible and practicable, the introduction of Parliamentary institutions into Turkey; and by so doing, they would be following the best traditions of their country, supporting the cause of freedom abroad, and maintaining the interests of the Empire.

Mr. CHAMBERLAIN was not going to reply to the speech of the hon. Member for Tamworth (Mr. Hanbury). That speech was concerned chiefly with matters of abstract theory and right rather than with practical questions. The hon. Member had told the House, with regard to Bulgaria, that it was, in his opinion, unfit for freedom, that Russia had stimulated the recent insurrection, and was not entitled to profit by it. But, be that as it might, he thought he was justified in pointing out that Bulgaria was now free, and he did not suppose that the hon. Member himself would re-impose her former servitude. Moreover, it must be recollected, that this liberation was due to a course of action which England had permitted. What, however, he (Mr. Chamberlain) rose for principally, was to state the reasons for which he should give his support to the Amendment of the hon. Member for Carlisle (Sir Wilfrid Lawson). He was, he believed, the first Member who had risen to say that he would support that Amendment, and it was therefore clear that its supporters would be a small minority there, although he believed they were in a large majority out-of-doors. But, be that as it might, the obligation was not the less cast upon them to express their opinions pointedly, and to protest, both by vote and speech, against the policy of the Government, which, rightly or wrongly, they believed to be fraught with national disaster and dishonour. Although he should vote for the Amendment of his hon. Friend, he did not accept all his arguments. He did not indeed agree that his hon. Friend was for "peace at any price," because he had never found anyone who was; but his hon. Friend had certainly placed a higher value than he did on peace, and would limit more than he would, International duties and obligations. If he (Mr. Chamberlain) condemned the policy of the Government, it was not because he was against all wars, but because he believed that the war which was in contemplation was not just or necessary. To say he was in favour of peace if war could be honourably avoided, would be an empty platitude, because everyone was for peace under those circumstances. The Government protested that they were; but, whatever might be the protestations of the Government, they had accompanied their protestations by actions which had brought the country nearer and nearer to the edge of the precipice. The responsibility, however, of carrying the country into a war which, even if successful, must be protracted, and must involve suffering and death to tens of thousands of people, must be such that no Government of English Gentlemen could enter upon it with a light heart, or without feelings of regret and pain. If, indeed, the intentions of the Government had been misunderstood, they had themselves to blame for it; for throughout their debates—and never more than on the previous evening—we had always had to contrast the pacific tone of some Members of the Government with the warlike utterances of others. He regretted that the Government should, by its action, have rendered impossible for the moment the holding of the Congress; and he regretted very much more than the mere failure of the Congress the steps by which the Government had emphasized their withdrawal from the concert of Europe, and by which they were threatening the Power with whom they had to conduct negotiations. It might be said that it was necessary for the Government to take steps and to be prepared for a possible failure of negotiations, and that we must be prepared for war if we would have peace. But he ventured to think that he should be able to show the House that such a course of conduct was extremely inconsistent with what the Government had done in the past. It was not always that the Government had held this opinion. Not quite two years ago, the Government entered the Conference at Constantinople—and under what circumstances? In order to consider the state of Eastern Europe, and to promote changes and reforms which had become necessary to secure the better government of the Turkish Provinces. At that time, Turkey, by the common consent of Europe, was clearly and distinctly in the wrong. But the only precaution which the Government then thought it necessary to take was to state that, under no conceivable circumstances, would they interfere to put pressure upon Turkey in case she should refuse the conditions imposed upon her by the Conference. Some hon. Members thought that the Government protested too much, and courted failure by telling Turkey beforehand that, under no circumstances, although she was in the wrong, would England put pressure upon her; and they considered that, in departing from the concert of Europe, Her Majesty's Government had led Turkey to her doom, and provoked her to the contemptuous rejection of the proposals of the Conference. He ventured to submit that if the Government had asked for the Vote of Credit for £6,000,000 when the Conference had failed, and they had called out the Reserves, and had accompanied it by such language as they thought it right now to address to Russia, then this war would have been stopped, and the object which they all desired might have been attained. Why did the Government treat the present proposal of a Conference in a different spirit? He wanted to know why they thought it necessary to bully and menace Russia, in order to obtain the same objects which they would not lift a little finger to wring from Turkey, when they knew her to be in the wrong? Supposing the Government were successful, and that Russia yielded to the humiliation which it was thought necessary to impose upon her, or that, after a long war, England was successful, and beat her to her knees, and that she was then ready to accept the terms which Her Majesty's Government would impose upon her, what then would be the position of that successful Government? They could not ask for more than the terms of the Conference of Constantinople, and when they had obtained them they would have to say that they allowed Russia to go to war with Turkey, and, after suffering the loss of hundreds of thousands of soldiers, and imposing untold miseries on her population, and after England had run the risk of a new war between Russia and this country, and, perhaps, after undertaking that war, and having suffered sacrifices still more serious than those to which he had alluded—for nothing was dearer than the blood of our own countrymen—that, after that, the Government had gained nothing more than what they might have obtained without the loss of a single man, or the expenditure of any treasure, years ago. He passed on to the consideration of the despatch of Lord Salisbury. He would not say whether that despatch was right or wrong; but that despatch constituted a new departure of the English Government. It could not be denied, because it had been hailed as a new departure, not only by the Press of this country, but by the Press of all Europe, which said that England had at last put forward European, in place of British, interests. He would also call the attention of the House to the fact that the most important terms and general direction of the Treaty of Peace were, at all events, known to the Government nine months ago, and were not received by the Government with any expression of dissatisfaction. He did not say that the Government had no right to change their mind with respect to this matter, if they believed that they committed an oversight nine months ago in allowing such matters as the retrocession of Bessarabia and the demand for an indemnity to pass without a complaint. He did not say that they might not now ask to have certain new claims treated with due consideration. But what he did say was, that inasmuch as the policy was new, and that Russia could not have foreseen the change, it was an argument for meeting Russia with moderation and with temper, and with a conciliatory spirit. The conditions of the Treaty were not such as he, in common with many hon. Members on that side of the House, could view with entire satisfaction. He had observed that it had been said in "another place" that "it would abrogate Turkey in Europe." If that were all, so much the better for the world. Turkey in Europe was an anachronism, and the sooner she was abrogated the better for the Turkish Provinces. He asked hon. Members opposite, what it was that they proposed to substitute in its place? Did they propose to restore Turkey to the position which she occupied previous to the war? If they did, he ventured to say that the support of the people of the country, of which they were confident now, would certainly be withdrawn from them. He knew that the people of this country were filled with a suspicion of the intentions of Russia, but he was sure that they had no love for Turkey. He was convinced that the English people were too generous, that they had too real a sympathy with the oppressed and downtrodden, ever to allow Turkish Pashas again to stain with blood the plains of Bulgaria, or to desolate the fields of Thessaly and Crete. If that were not the alternative contemplated by hon. Members opposite, as it clearly was not contemplated by the Government—for the Chancellor of the Exchequer said that the old order of things had passed away, and that a new one must be substituted—then, for his own part, he said that there was one only other possible alternative—namely, that we should substitute self-governing States, as independent as the circumstances of the case would permit. But, in this case, there were no differences and no alterations which we could make in the Treaty of such transcendent importance to our interests as to justify a war, with all the loss and misery which that would entail. There was one other policy which he wished that he could think it possible for Her Majesty's Government to adopt. He could conceive that an English Government might say that the changes which had taken place in Eastern Europe necessitated further changes. They could not go backward, but they would go forward, and carry out a policy which was recommended 40 years ago by the Duke of Wellington—namely, the re-establishment of the Empire of Greece. He thought that that would be a wise policy, and one which would conduce to the settlement of Europe. It was quite true that the Greeks were a small people; for he supposed that in the whole of the Hellenic Provinces of Turkey, and in the Kingdom of Greece itself, the population would not exceed 5,000,000 or 6,000,000. Still, they had known in past times, that small people had done great things; and they knew that England, in the time of Elizabeth, had cut a considerable figure in the history of the world. The Kingdom of Greece had been cribbed, cabined, and confined, by the narrow limits of the Treaty of London; but still they were a progressive people, with the qualities of a great nation. The Kingdom had made great advances in art and in industry, and its commerce multiplied sixfold, its Navy tenfold, its towns had increased, and some of them had been rebuilt and created anew, and it had a Government which, at all events, was tolerant of religious differences—and, with some trifling exceptions, had been able to maintain peace and order. The Greeks had a claim upon the hon. Member for Tamworth (Mr. Hanbury), which the hon. Member had pointed out the Bulgarians had not; for the Greeks had at least shown that they were ready to fight for their freedom in a war of independence, and to emulate the deeds of the race whose place they filled. If the Greeks had a Kingdom given to them, with boundaries equal to their legitimate aspirations, they would show themselves worthy of their ancestors, and fight again if their freedom or independence should be attacked. He feared this was a policy which, wise as he believed it to be, was impossible for Her Majesty's Government to intend or to carry into effect. They had debarred themselves from adopting such a policy by the pledges which they had given to Turkey, whose independence and integrity they had sought to maintain, and for whom they had promised to secure the "best possible terms of peace." He thought that he had said enough to show that, at all events, he was not an advocate of "peace at any price." He thought there were two cases in which a country was justified, and even called upon, to go into war—the one, in which, he believed, all were agreed—namely, when its interest or its security was really in danger from attack; and the other—on which there might be greater difference of opinion, for he held that great nations had duties and responsibilities like individuals, and there were times in which they were bound to fight, not for selfish British interests, but for great causes which were in danger, or great principles which were imperilled—in order to succour the oppressed, and do justice to the weak. Such a case had occurred when we had expended valuable lives in order to put down the barbarous and odious traffic in slaves. But he said that under present circumstances, neither of these conditions existed. Our interests were not seriously attacked, and our security was not endangered. He feared that if we were to go to war, it would be not to extend the bounds of freedom, but to curtail the limit of independence; and, under these circumstances, he hoped that the flag of England might never float again beside the flag of Turkey. It was said that it was our duty to fight for public order in Europe and for European law. We were patted on the back by those of our foreign admirers, who really did not love us, but who would be glad to see us engaged in struggles in which they were not participators as champions of European order. What right had we to arrogate the title of arbiter of European order? Was it not our duty, considering that we were not a military nation, to leave to other military nations the duty of looking after their own interests, which they were perfectly able to perform for themselves, if they thought fit? He could not, for his part, understand why we should allow an English soldier to perish in order to pull the chestnuts out of the fire for Austria, Germany, France, and Italy, who were perfectly competent to defend "European order." Recent events, and all our past history, showed that the English people were ready enough to resent any slight upon English honour, whether real or fancied, and to defend the interests and the security of the country; and that made it all the more incumbent on a Government which was responsible for the conduct of public affairs, that it should not give any stimulus to this feeling, without at least urgent necessity, and just and adequate cause. He believed that in the present proceedings no sufficient reason could be proved, and he intended to give his vote in favour of the Amendment of the hon. Member for Carlisle.

MR. BAILLIE COCHRANE said, he thought that the speech of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) was better adapted for the atmosphere of St. Petersburg than suited for the free air of the English House of Commons. He was compelled to say that he did not understand the policy of the noble Lord and his Friends opposite. If the Opposition objected to the policy of the Government, they were bound to bring forward a Vote against it; but he could not understand the noble Lord (the Marquess of Hartington) criticizing every detail of the policy of the Government and then saying that he did not intend to divide the House or propose any Amendment. The policy of the Opposition was not only unjust towards Turkey, but also to Russia, and he contended that the speech of the right hon. Gentleman the Member for Greenwich, in 1876, in reference to what were called the Bulgarian atrocities, was of itself sufficient to lead Russia to think that she would be permitted to take even Constantinople. But now, after sacrificing over 90,000 men, her march to Constantinople was resisted by the united feeling of England, except a few people of extreme opinions. The Opposition had misled Russia, as they had misled Turkey, and they had done more—they had crippled the action of the Government. The right hon. Gentleman the Member for Greenwich had referred to the communications of nine months ago, and said the Government were made aware of the intentions of Russia. But did he really mean to say that the Government knew that Russia intended to stamp out Turkey altogether, that the limits of Bulgaria had been mentioned to the Government, or that any question had been raised as to the indemnity which Russia now claimed? That indemnity, it should be remembered, would amount to a territorial question. But other questions were left open as between Russia and Turkey. Could the right hon. Gentleman say that any one of the conditions of the Treaty of San Stefano was made known to the Government? As it stood the Turkish Government would almost cease to exist, as two-thirds of the territory and population of Turkey would be added to Montenegro and Servia, and constituted part of Bulgaria. Was it possible, then, that such a Treaty could be permitted to stand? The assurances given by the Russian Government that the war was carried on, not for selfish reasons, but for the benefit of the Christians, were not confirmed by the Treaty of San Stefano. Bulgaria, as now proposed to be constituted, would incorporate nearly the whole of Roumelia, with not less than 2,000,000 of Greek inhabitants. He (Mr. Baillie Cochrane) had the greatest sympathy with Greece, and thought it a most unfortunate thing that when the Greek Empire was founded it was not extended so as to include Thessaly and Epirus, and that Prince Leopold did not accept the Throne. Had that been done, Greece would by this time have been a powerful Kingdom, probably with Constantinople as its capital. That, however, was prevented by Russian intrigue. The question for the House now, however, was what was to be done? A Treaty had been submitted which it was impossible for this country to accept. The despatches of the Duke of Wellington had been quoted by the noble Duke (the Duke of Argyll) last night, and an hon. Member opposite had endorsed the quotation, to the effect that the Duke of Wellington had advocated the blotting out of Turkey. He had taken the trouble of looking into the Wellington Despatches, and he found that the Duke had expressed himself as follows:—

> "The independence of Turkey is of importance to all the Powers of Europe—its maritime independence and independent exercise of Sovereign authority in its own waters."

The noble Duke had also quoted Lord Palmerston in the same sense; but he found that Lord Palmerston, in 1858, said—

> "The policy of Russia has always been to push forward as far and as fast as the apathy or want of firmness of other Powers would allow her to go."

To Lord Aberdeen, in 1853—

> "I hope you will order the Fleet to go to the Bosphorus so soon as the Russians enter the Principalities."

It was said by hon. Gentlemen below the Gangway opposite, that it mattered nothing to us what Russia did or who possessed Constantinople. They talked as if there were no such thing as our Indian Empire or our Colonial Empire. He maintained, however, that it was England more than any other Power who was interested in this question of Russian progress. There was only one consistent party on the Opposition side of the House—that which was represented by the right hon. Member for the University of London (Mr. Lowe), who in a recent article argued that our Indian and Colonial possessions were of no use to us at all, and that we should be just as well off if we concentrated ourselves in these Islands, and got rid of the Colonies. The right hon. Gentleman went on the "Perish Colonies" line. That was a most extraordinary view for an ex-Minister of the Crown to take. If that view were carried out, it certainly would matter nothing to us who had Constantinople, but it was not intended to carry out that policy; no man considering the matter reasonably could say that, with the continued progress of Russia, our Empire could remain perfectly secure. He fervently hoped that we might not be obliged to go to war; but he contended that it was by this country adopting a firm attitude that war was most likely to be prevented; and the very fact of the Government taking steps which showed their determination to assert the just rights of England, and to guard the safety of her Colonial and Indian Empire, would tend to peace. Seeing the great responsibility which rested on the Government he trusted that the Opposition would show that the House of Commons was unanimous; and he hoped that the hon. Member for Carlisle (Sir Wilfrid Lawson) would not divide the House, or that, if he did, the House would prove that, with the exception of a small minority, it was determined to act with one heart for the maintenance of the Empire.

MR. JACOB BRIGHT said, the most important subject in this discussion was the military preparations of the Government, which seemed to have been utterly disregarded by several of the previous speakers. A remarkable change had taken place in the character of Parties in this House. During the last Session of Parliament the late Prime Minister brought a proposition before the House, asking for concerted action in order to give good government to the people of Turkey. In the proposition of the right hon. Gentleman, it was said that there was some distant possibility of war; and, because there was that possibility, he was vigorously attacked by every Member who rose from the opposite side of the House, and, no doubt, by some Members on this side of the House. If he asked where was the War Party now, he was obliged to say that the Conservative Members of this House formed the War Party. He judged them from the Government they supported, and he judged the Government they supported by their deeds; and, therefore, he was entitled to make the statement. If he judged them by their language, he should have no right to say they were the War Party; but, when men spoke and acted at the same time, and when their speech went in one direction and their action in another, then he paid little attention to their words, and judged them by their deeds. He affirmed that the Conservative Party was now distinctly the War Party, for the Government had been employing the gigantic Fleet of this country in a policy of menace for a great many months; and it came to this House this Session for a Vote of £6,000,000, the major part of which had already been spent in preparations for war. In his own constituency there were places formerly engaged in peaceful commerce now turned into Government Stores. The Government had been buying horses and guns and ships, and, latterly, he was told, it had made considerable purchases in surgical instruments—instruments to be given into the hands of surgeons in order to lessen in an infinitesimal degree the ghastly results of battle. Now, they went one step further in the direction of war, and the Reserve Forces were to be called out. He should like to ask whether the War Party had considered the calamities of war, and whether they had asked themselves the question, what was to be the object of the war? Some of the calamities of war had already been discovered by the calling out of the Reserve, for already women and children, who had led independent lives, were about to receive parish relief; and if we went to war, we should consume a vast amount of the hard-earned wealth of the country—a country in which there was as much abject poverty as in any part of the world; if we went to war, we committed to bloody graves scores of thousands of our fellow-men. Then, what would be the object of the war? Were we making preparations for war in favour of freedom? Certainly not. That was not entertained at all in the minds of the Government. He judged of the Government by its master spirit; and, if they looked at the views of Lord Beaconsfield, they could not but remember that he had spoken constantly with disdain of the efforts made by the subjects of the Porte for emancipation. Lord Beaconsfield made at one time an almost brutal attack upon that little State of Servia. Yet Servia had been largely instrumental in effecting the freedom of that part of Europe. Were we preparing for war in order to secure any solid interest of this country? He demurred altogether to any assertion of the kind. It had never been shown in this House that the country had vital interests in European Turkey. Nay, the question of our solid interests in that part of the world had never yet been debated in this House. Everybody who spoke on the subject assumed that these interests existed without undertaking to explain them. He did not deny that we had one interest —one national interest, if they liked to call it such—in European Turkey. Every country that had a ship had an interest in the freedom of every waterway; and, therefore, had an interest in the freedom of the waterway between the Mediterranean and the Black Sea. But it was not an interest that required a war. So long as there were maritime Powers in Europe, and so long as we were one of those Powers, we could easily defend our interests, for we could put a Fleet at the mouth of the Dardanelles and shut up the Black Sea as we could put a cork in a bottle. Then the War Party—the great Conservative Party—asked us to go into war single-handed. He read a little while ago an article in a Continental newspaper of some reputation, and it said—"England will not go to war, because it wants an object and an Ally." We had a great Party in this country preparing for a war without an object and without an Ally. A good deal had been said by the hon. Member for Dundee about an alliance with Austria, and also by Lord Derby in "another place." It must be pretty certain now that no one could expect an alliance with Austria; and it appeared to him that those who asked Austria to ally herself with this country were asking her to engage in a very unequal war. In England we were absolutely secure, and out of the reach of Russia, while Austria was in such a position that she might receive all the blows. But some men, more heroic than others, urged us to fight alone. Isolated action required numerous sacrifices, and he did not think that such sacrifices ought to be made unless on a momentous question. He had been told, more than once, that the despatch of Lord Salisbury would show what was the object of all those warlike preparations. The despatch of Lord Salisbury was a criticism of the Treaty of San Stefano. It was an interesting criticism; but it became of less value the more it was considered. The more it was understood, the less weight would be attached to it. The speeches which had been made, so far, in this debate, very much lessened the authority of the document. One of the chief complaints was the size of Bulgaria. But the general opinion was, that the larger the Province was the more secure it would be against Russian aggression. They all had their ideas of the Treaty of San Stefano. He himself would like a large Greece, as well as a large Bulgaria, and it would be of great consequence to that part of the world if the Greek King could reign, as far as practicable, over the whole of the Greek population. All who had travelled in those districts would tell them, that when they stepped into a Greek town they found a place with all the signs of freedom and progress, and that the contrast between Greek and Turkish territory was as great as it possibly could be. There was another matter in Lord Salisbury's despatch to which some importance would be attached. The noble Lord endeavoured to excite the susceptibilities of commercial men in this country by telling them that Russia was going to get some great commercial advantage by this Treaty. But, surely, no one thought we were going to fight for commercial advantages. Before we had been at war six months, we should have sunk a sum far larger than the value of our commerce with Turkey. In the Crimean War we spent £100,000,000. That sum would yield £5,000,000 per annum. No one would venture to show that the whole of our commerce with Turkey was worth one-fifth of that amount. Of course, Russia must have great influence in that part of the world. We fought against that influence 24 years ago. Yet Russia was now as powerful as ever; and, in his belief, if we were to fight and defeat her, Russian influence must predominate in the neighbourhood of the Russian Empire. He had not risen on this occasion to give expression to popular views. If he had wished to express the views which were especially current at the present hour, he should not have risen, because they had been already expressed in this debate. But he rose for the purpose of expressing what were his own opinions, and what he believed were the opinions that were growing in the country. In his view, but for the action of England, the Eastern Question would have been altogether a local, and in no sense a European, matter. He thought that this was the fact, because we knew that there was not another Power in Europe away from the scene of disturbance which was willing to spend a sixpence, or to sacrifice the life of a single soldier, upon this question. If they looked beneath the surface, they would see that the same thing happened in 1854, for we were alone then as now. France cared little for the Eastern Question, and everybody now admitted that the man by whom she was then ruled plunged her into that war for his own personal objects. Sardinia had her objects also, but those objects were not associated with any real interest in the Eastern War. Well, if this were so, and if it were true that England was the only Power away from the actual spot which cared for the Eastern Question, how was it that this arose? He supposed it arose from the feeling which had been expressed by the hon. Gentleman the Member for the Isle of Wight (Mr. Baillie Cochrane), that there was some connection between the maintenance of the Government of Turkey and the authority we exercised in India. He (Mr. Jacob Bright) believed that this was a delusion, and he would give a reason in support of this belief. If it were not a delusion, the feeling he had spoken of ought to grow with the lapse of years and with the growth of intelligence; but the fact was, that this belief diminished the older we became and the more information the people received. During the Crimean War, almost every man had strong ideas that if anything serious had happened to

Turkey, the door to India would be sealed. But at the present day no such idea was entertained. He knew that in the city of Manchester, where there were hundreds of men having large trading transactions all over the globe, and who knew something of the geography and of the politics of the world, there was a large number who cared nothing as far as English interests were concerned, for the question as to who might be called on to govern Turkey in Europe. But there was one matter in which they had an interest. They knew that we must have a road to the Eastern world, and they would unite as one man in defence of the Suez Canal—in fact, in defence of Egypt. That was to say, they would unite to prevent Egypt getting into the possession of a Power that might be dangerous to us. The notion that Turkey was important to us they had given up; but the question of Egypt, and the importance of our road to the far East through the Suez Canal, they considered of the greatest consequence. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had made an attack on the Government because of its inconsistency, and he had shown that they had folded their arms and had been absolutely neutral at the beginning of the war, and now they were asking England to arm. Well, it appeared to him (Mr. Jacob Bright) that this was as great an instance of the incapacity of a Government as he had ever seen exhibited during his time. If we were now to go to war, to undo what had been done, we should be acting much less logically than if we had attempted, in the first instance, to prevent its being done. The Party opposite had the character of being a prudent Party. But was it showing its prudence by pressing for war? We went to war in 1854 with Turkey as our Ally, and we also had the Army of France at our side, and some little assistance from Italy. At that time, Russia had almost no communications with the Southern portion of her Empire, and yet it took the united powers of England, France, Turkey, and Italy, two years to accomplish, with the immense disadvantages under which Russia laboured, the moderate result which was obtained. If we were to go to war now, when Russia communicated freely from the centre of her Empire to its circumference, how long would it take England, alone, to achieve any result with which she would be satisfied? There was one other consideration which, before sitting down, he should like to address to Conservative Members, and it was this—At the present moment two men had left the Cabinet, and he did not know how many more were to follow; but, at any rate, those who had gone were remarkable for their ability and experience. They were two men with hereditary positions, men who had ancestral estates—in fact, men who might be supposed to have a rather special stake in the future of this country. When such men as these left the Cabinet, and when those of a more reckless or a more pliant character remained, it seemed to him that the Members of that House, no matter on what side they sat, would do well to pause before taking any further steps in the direction in which they were invited. He thought, also, that, appreciating as he did, the grave consequences of the course proposed to be taken, he might fairly ask this question — What was the character of the man who was inviting them to tread these perilous paths? We knew somewhat of the antecedents of Lord Beaconsfield, and he would ask, were they such as to give us confidence in his guidance? Lord Beaconsfield began life by making extreme political professions, first on one side and then on another; and he at length obtained an ascendency over his Party by his embittered attacks on one of the leading statesmen of the century—those attacks being occasioned by the circumstance that Sir Robert Peel was unwilling that the people of this country should perish by famine, but said they should have the right to purchase their bread freely in every country in the world. Another matter might be referred to as showing Lord Beaconsfield's character, and as warranting inquiry how far we were justified in placing confidence in him. Not long ago a great Constitutional question came on for discussion in that House. It was one of the greatest questions that could come before the country—namely, in whose hands should we place electoral power? What course did Lord Beaconsfield take on that occasion? He had been hostile to any change. He spoke of degrading the franchise, and he assisted in turning out a Government which had proposed a very moderate measure. ["Question!"] He (Mr. Jacob Bright) was speaking to the question, for he was considering the character of the man who was now inviting the country to enter upon a great European war. Well, in a few months, or, rather, he believed, in a few weeks, Lord Beaconsfield, or, as he then was, Mr. Disraeli, came down to the House and proposed a change, which even now many persons in the House considered revolutionary. He asked the Conservatives, then, whether they would rather be led by the Earl of Beaconsfield or Lord Derby? He asked them which of the two was the more likely to lead the Conservative Party along a safe course in dealing with the great interests of the country? His own opinion was, that if the Tory Party should succeed in plunging the country into war, the result would be that England would lose some of its character for intelligence in the eyes of the world, and the Government which did so plunge the country into war would, in a very short time, sink into deep discredit.

MR. DILLWYN said, it was erroneously assumed that those who supported the Amendment of the hon. Member for Carlisle necessarily belonged to what was called the "Peace-at-any-price Party," if there was such a Party. Such, however, was not the fact, because he and several of his hon. Friends who intended to support the Amendment, did not agree with the extreme views of the hon. Baronet. Speaking for himself, he had never voted with his hon. Friend for a wholesale reduction of the Army, although he had always advocated economy combined with efficiency. There seemed to be in the House another Party, which might be called the War Party, though that description might be wanting in accuracy, for he did not believe that even those who cheered the bellicose speeches were for war at any price. They believed that the necessity for war would arise much more easily and speedily than others did, who thought there should be a serious case of emergency to justify the contemplation of hostilities. He did not think that any "emergency" had been proved. The *casus belli,* if it had arisen at all, had been occasioned by the Treaty of San Stefano. He did not think the Treaty of San Stefano contained clauses which might not very well be settled by a peaceful arrangement between the parties. He did not approve all the conditions of the Treaty, he thought some of them ought to be modified; but he was of opinion that this modification could be brought about without involving the country in the war to which we were hastening. A great change had come over the position of Parties since Lord Derby had declared, in "another place," that he did not know what the emergency said to have arisen was, or what had created it. No sufficient reason had been given for the withdrawal of our Government from the Congress. Our insistance as to the terms on which we should enter it had been needlessly stringent; and we should see hereafter that we had been much mistaken in the way we had treated Russia, and that before many years we should find that it was to our interest to come into alliance with her. We should have been content with the conditions which Russia prescribed for herself, and which were satisfactory to all the other Powers. Had we gone into the Congress on those terms, British interests could not have been damnified, and the cause of peace would no doubt have been advanced. He objected to calling out the Reserves before we had exhausted all means of friendly negotiation; and, as he agreed with the late Foreign Minister that no "emergency" existed, he should support the Amendment of his hon. Friend the Member for Carlisle.

SIR GEORGE BOWYER said, he thought it might be useful to look back for a few moments at the state of things before the Conference at Constantinople. Whether the insurrectionary movements in Bulgaria had been fomented by Russia or were the result of Russian intrigue, was a question on which different opinions might be entertained. Unquestionably, the events which occurred in Bulgaria attracted the attention of Europe, and the right hon. Member for Greenwich preached a crusade against the Turks. The result was to produce a state of things dangerous to the peace of Europe, a strong feeling was excited against Turkey, and Russia was encouraged. After everything had been done which could be done by negotiation, it was resolved to hold a Conference at Constantinople; and he, and many others, believed that what was settled at that Conference should have been made compulsory on Turkey. The Representatives of the European Powers should have signified to the Porte that what they thought ought to be done must be done. There was no use in reasoning with fatalists. You might advise and say that certain things were not only just and expedient, but necessary ; they would only answer—" God is great ! " and take their chance. But, in this case, they were the more stirred up to resistance because they believed that a crusade was preached against them in England, and the Sultan was on the point of taking the banner of the Prophet from the Mosque of Omar, and proclaiming a Holy War. He did not blame Her Majesty's Government for the course they had taken ; because he believed that the noble Lord who was lately at the Foreign Office, and for whom he had the greatest respect, had been a drag upon his Colleagues, and that but for him the Conference at Constantinople would have been a reality, and not a bubble. The course which ought to have been pursued would have saved Turkey, and at the same time given ample security for the lives and liberties of the Christian subjects of the Porte. After the Conference had decided what was to be done and Turkey had rejected it, Russia was left alone to carry it out. War broke out, and the Turks made a most gallant defence ; but it was evident that Turkey must be vanquished. No Oriental army had ever successfully resisted a great European army. We had been talking of driving back the Russians and preventing them from taking advantage of their successes. But when once the campaign began, the events of war were irresistible, and we could not by landing in Turkey the greatest number of troops at our command successfully resist Russia. The only period when we could have interposed our force was at the time of the Conference at Constantinople ; for, when once the Armies of Turkey and Russia had met, it was impossible for us to throw back the course of military events. In what position did we stand now ? We could not expect Russia to give up all the results of the war. It had been stated in that House to be a principle of International Law that a nation was bound not to go beyond the purposes for which she had gone to war. This was by no means so, and we could not expect that, having gone single-handed to war with Turkey, having achieved the victories which she had accomplished, and having made the sacrifice of blood and treasure which she had done, she would merely be satisfied with protecting the Christian subjects of the Porte and with securing their liberties. On the other hand, it appeared to him that the Treaty of San Stefano did not settle the Eastern Question, and we had a right to object to this. The Treaty made arrangements of territory which were highly convenient to Russia ; but it left open certain points which must be considered hereafter, and which in future years might be the cause of war. There was the question, for instance, of the mouths of the Danube, and again there was the Hellenic question. He was inclined to give some weight to the argument that as a general rule to make Bulgaria large would be to contribute to render it, if not independent of Russian influence, at least able to resist such influence ; but the details of the Treaty showed that Bulgaria would be in reality a Russian Province. Next came the difficulty that Russia refused to discuss some points of the Treaty which were not specified. Had Russia said—" We will go into Congress in order that the whole matter may be considered, but we reserve to ourselves the right of not acquiescing in conclusions which may be come to upon particular clauses," Her Majesty's Government would not, he believed, have made any complaint. But Russia had gone further than that, and had said that she would not accept the discussion of certain points. What was the use of going into a Conference unless there was to be free discussion ? Under such circumstances as he had indicated, Her Majesty's Government had exercised a wise discretion in withdrawing from the proposal to hold a Conference. Had the Government gone into a Congress, hampered as they would have been by the reservation which had been made by Russia, the meeting would in all probability have broken up in bad feeling, and then war would have been inevitable. In present circumstances, he thought the policy of the Government should be to endeavour, by all means, to arrive at some understanding which might render a Conference on a proper footing still possible.

A noble Lord in "another place" had said that Austria could not give us any material assistance in case of war. He did not believe that. The Austrian Army was one of the finest in Europe, and the Austrians were a fine, gallant, military people. Seeing that the course taken by Austria was almost precisely similar to that followed by ourselves, he did not believe that the Austrian Government would abandon us. He was glad we had declined to go into the Congress with our hands tied behind our backs, as some hon. Members of the Opposition appeared to desire that we should do this. He supported the Government in their view, because he believed that in the hands of the present Government the honour and dignity of England were safe. It was a nice point in International Law how far belligerents were entitled to retain the fruits of their victories in respect to the rights and interests of neutral Powers; because the general principle was that a war between two Powers could not affect the rights of others and their treaties with the belligerents. But he believed that if the Congress met, that question as regarded Russia would be satisfactorily settled. He should not have supported the Government as he had from the beginning of these difficulties if he had not been convinced that theirs was a truly pacific policy. He believed in the adage, "*Si vis pacem, para bellum.*" Judging from the reply of Prince Gortchakoff, which had been circulated that evening, he did not despair of a Congress still being held. The document was of an argumentative character, and Russia appeared not unwilling to argue the matter further.

MR. RICHARD: Mr. Speaker—Sir, before offering some observations on the proposal before the House, there is a preliminary question to which I should like to advert for a moment—that is how far this House is entitled, or, at least, justified, in doing anything to oppose the measures of the Government under the actual circumstances? A doctrine has been advanced—which, I think, has met with considerable acceptance even on the benches around me—that, in regard to foreign policy, and on critical occasions, the right course is to abdicate our freedom of individual judgment, to give unanimous support to the Government, and throw upon them the responsibility of the measures they propose. Now, I, for one, utterly and emphatically repudiate this doctrine. Here we are constantly telling each other, in reference sometimes to matters that are comparatively trivial, that we are bound by the obligations we owe to our constituents, our country, and our own consciences, to take a particular course—for instance, to examine and criticize, and, if we disapprove, to denounce and strenuously resist, any measure brought forward by the Ministers of the day. And are we to be told, that on questions of peace and war—questions involving an unlimited expenditure of the blood and treasure of our countrymen—questions which may affect the happiness and well-being of every man, woman, and child of the 30,000,000 of people that inhabit these Islands, that we are to hold our peace, lest we should embarrass the Government? Why, Sir, if the Government are taking to evil courses, the more they can be embarrassed the better. And what do we mean by throwing the responsibility upon Government? Is it not perfectly obvious, that by bringing before us such proposals as they have done, by asking us to vote £6,000,000 for war purposes, and to express our approval of calling out the Reserve Forces, they are, in fact, throwing the responsibility upon Parliament—or, at least, trying to associate us in a common responsibility with themselves. But I hold that we have all an individual responsibility in this matter, and if the measures offered to us lead to war, that no Member of this House can be free from the blood of his countrymen who does not oppose them by his voice or vote. I am quite sure that the course recommended to us by the advocates of that doctrine is not in harmony with the best traditions of the Liberal Party. The great Leaders of that Party in former times did not act on these timid and accommodating principles. When, nearly a century ago, through the stolid obstinacy of the Monarch and the weakness of a too-compliant and time-serving Minister, the country was about to be hurried into a war with its North American Colonies, Lord Chatham did not scruple to denounce the policy of the Government with his most scathing eloquence, and even went so far as to say that he rejoiced that America had resisted. And, Mr. Burke, in the House of Commons, still more strenuously and persistently resisted the war measures promoted by the Ministers, even when public opinion, with that infatuation which so often leads the people astray in this country on questions of peace and war, was loudly clamouring for war—when he was denounced as an "American," as some others are now denounced as "Russian," and when the excitement against him was so violent, even among his own constituents at Bristol, that he declared that, while they were in such a temper, he would sooner have fled to the extremities of the earth than have shown himself among them. Still more marked was the conduct of Mr. Fox, in his opposition to the French War and the measures that led to it. When, at the beginning of the Session of 1792, the Government proposed to embody the Militia as an obvious prelude to war, he resisted it with all the force of his fervid eloquence, and divided against it, though he was left in a minority of 50 against 290. And he persevered in his resistance, though his minority dwindled from 50 to 44, to 41, and, I believe, still lower numbers. I differ wide as the poles asunder in my appreciation of Mr. Fox's conduct from the right hon. Gentleman the Secretary of State for India (Mr. Hardy). He charged Mr. Fox with having followed an unpatriotic course on the occasion referred to. And are we, then, to understand that when a Member of the Legislature believes, as Mr. Fox most religiously believed, that a Government is about to commit the greatest crime which a Government can commit, by plunging the country into an unjust and unnecessary war, it is the duty of patriotism to allow them to go on unchallenged until they have filled up the measure of their iniquity? On the contrary, I believe that when Mr. Fox, deserted by a large proportion of the Whig aristocracy, on whose ranks he had shed the lustre of his great intellect and splendid eloquence; when he was charged with holding treasonable correspondence with the enemy in France; when he was taunted with having only a score of Followers in the House; when, as he was obliged to acknowledge, he could not walk the streets without being insulted by the mob; when, in spite of all this, he continued battling bravely and loyally for the interests of peace—I believe, with Mr. Cobden, that the annals of Parliament do not record a nobler struggle in a nobler cause. And, surely, there are few now who do not look back with respect and admiration to the course taken in 1854 and 1855 by Mr. Cobden and my right hon. Friend the Member for Birmingham (Mr. John Bright); when, in the face of a hostile House of Commons, and when overwhelmed with obloquy and reproach out-of-doors, they continued to protest against the war with Russia, the folly and futility of which was now all but universally acknowledged. It seems to me, in spite of the mild and moderate speech made by the Chancellor of the Exchequer on the previous night, that we are on the brink of a crisis of the gravest possible character. I, for one, must express my gratitude to the right hon. Gentleman for having avoided the use of irritating and offensive language. He might have earned, as others have done, the cheap reward of loud and frantic cheers from the more violent of his own Party if he had adopted a different style. But he disdained those contemptible clap-traps, which, in my opinion, are unworthy of a grave and responsible statesmanship. Still, I am afraid, it is only too clear that amid general professions of peace we are rapidly drifting, or—to use the language of a far higher authority than mine—"rushing" into war, and into a war the grounds and objects of which are absolutely inexplicable. Not one ray of light has been thrown upon this point in the course of the present discussion. Even those who are most vehemently opposed to the policy of Russia seem to have no conception or concern as to what is to follow in case that policy is defeated; or by what means order is to be evoked out of the chaos that now reigns in Eastern Europe. Enough for them to checkmate and humiliate Russia; the rest they are willing to leave to the chapter of accidents, so that to gratify their antipathy to Russia they are ready to plunge into war without a cause, without an object, and without an Ally. I have never judged harshly the conduct of the Government in relation to their Eastern policy. I have refused to join in the indiscriminate censure pronounced upon them, and I have, both in this House and out of it, paid my humble tribute of respect and gratitude to them, and especially to their Foreign Secretary, for the loyal and strenuous efforts he has made to guide the policy of the country into the paths of peace. But it is perfectly obvious that of late there has been a total change of front on the part of the Government. The plea of those British interests, which they had formerly specified as the conditions of neutrality, and which, I contend, have never been infringed or violated by Russia, they have now abandoned, and instead of it we have our old friend, "the balance of power," and "the protection of the freedom of Europe." These pompous and pretentious phrases, intended to "split the ears of the groundlings," exposed us to the ridicule and laughter of the world. I see the German papers are asking, who placed the freedom of Europe in the custody of Lord Beaconsfield? Certainly, if Austria and Germany and Scandinavia and France and Italy, with their 4,000,000 or 5,000,000 of armed men, cannot take care of their own freedom, it is too ridiculous for us to pretend to do it for them. I do not say that the Government is wrong in carefully examining the Treaty of San Stefano. I do not say that Russia is always just and moderate in her demands. I do not know any great Power that is moderate in the hour of victory. What I object to is, that the Government has been so prompt to have recourse to language and measures of menace. A policy of menace is a weak, and not a strong policy; it is a mean, and not a dignified policy; it is a policy of war, and not of peace. In private life, a man who is always swaggering and threatening, pulling up his sleeves to show the strength of his muscles, and flourishing his fists about, is regarded by all as a blusterer and a bully, whom no one respects and everybody avoids. Why should that, which is thought odious and contemptible in a man, be deemed worthy and honourable in a great nation? What do we see? England is invited to a Peace Congress. And what is the reply of the Government which represents England?—"Yes, we will go, but we will go in a coat of mail, armed *cap-à-pie*. We will go, but we will first ask our Parliament to give us £6,000,000 to buy iron-clads and monster guns, that we may back up our counsels in Congress by this demonstration of brute force." Then, comes a difficulty between them and Russia—a mere difficulty of form, as many regard it—and then the Government come down to this House, to announce their intention to call out the Reserves by way of solving the difficulty. This policy of menace does not answer. It has often been tried, and it has usually ended either in humiliation, when we have been obliged to withdraw from our threats, or it has led directly to war. My hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) has already referred to one instance in which the ostentatious and menacing display of force defeated the hopes of peace before the Crimean War. There were several instances in which the most promising negotiations were frustrated by the same cause. I have referred to the Crimean War; have you not there a warning to which you would do well to give heed? That war, according to Mr. Kinglake, involved the destruction of 1,000,000 of human lives. According to the calculation of an eminent French statistician, it cost in money £340,000,000, and inflicted upon the nations an amount of suffering and misery of every kind that was appalling and incalculable. Its evils did not end with itself. The Chancellor of the Exchequer, in an able volume which he published some years ago, said of that war, that—

> "It stirred up in Europe a spirit of restlessness, which set all the world to seek for the means of improving the instruments of attack and defence, and to add enormously, and without stint or measure, to the most unprofitable and unsatisfactory of all possible forms of expenditure."

It did worse than all that, for it rekindled the war spirit in Europe, and fostered all evil passions of mutual jealousy, suspicion, and hatred among the nations. And what good came of it to any human being? Did it accomplish any one of the objects for which it was undertaken? It did not settle the Eastern Question, for that is at this moment troubling the peace of Europe. It did not break the power of Russia, for Russia is more powerful than ever. It did not diminish her influence in the East of Europe, but added to it immeasurably, by enabling her to appear as the Protector of the oppressed Christian nationalities. It did not secure the independence and integrity of the Ottoman Empire, for ever since then the Western Powers have been meddling with, dictating to, and snubbing Turkey more than ever. It did not regenerate Turkey, but only hurried it more rapidly to ruin. It did not secure the freedom and safety of the Christian subjects of the Porte. Nay, indeed, it may be said that the only result it really did achieve, was to fasten for a time upon the neck of those unfortunate people the yoke of oppression which neither they nor their fathers were able to bear. The truth is, as it appears to me, that the real cause of the war to which we are being driven, is not regard for British interests, or the balance of power, or the freedom of Europe, but a blind, unreasoning hatred and fear of Russia. There are some of our countrymen who are apt to take these fits of terror and aversion for particular nations. They seem to live in a chronic state of panic. They are never quite happy unless they can make themselves miserable about something. Sometimes it is the French, very often it is the French. On several occasions since I have had some acquaintance with public life, I have found a portion of the people of this country in a state of frantic exasperation against France, representing her Rulers and people as so many brigands or pirates, ready to make an unprovoked descent upon our coasts for purposes of plunder and revenge. Then America became the bugbear. I remember the time when the United States were held up to execration, its Government described in and out of this House as a bullying Government, and its people as the scum and refuse of Europe. Now it is the turn of Russia. And why are we asked to hate and fight Russia? First, because she had strangled Polish nationality, and when the Poles have attempted to throw off her yoke, she has put them down with a high hand. I have no doubt the conduct of Russia towards Poland has been bad enough. But we are a strange people this country. Every now and then we throw ourselves into transports of rage against some Power, because it is oppressing or suppressing some struggling nationality, in apparently perfect unconsciousness that there is no nation on the face of the earth who holds so many nationalities in subjection as we do—and when any of them try to rise against our authority, whether in Ireland, or India, or Ceylon, or Jamaica, we do not scruple to put them down with the most bloody and ruthless severity. I belong to a suppressed nationality myself. It is really amusing to observe the quiet way in which we apply one standard of conduct to ourselves, and another to the rest of the world. My hon. Friend the Member for Newcastle (Mr. Cowen) told me the other day, with horror and indignation depicted in his countenance, that the iniquity of Russia in her conduct towards Poland had now culminated. In what respect? In this respect—that the Russian Government had suppressed the use of the Polish language in the Courts of Law, and obliged them to use the Russian language. "Are you aware," I said to my hon. Friend, "that that is precisely what the British Government is doing in Wales. Any poor Welshman is liable to be tried for his life, and hundreds of them have been tried for their lives, in a language of which he is absolutely ignorant." This did not seem to strike my hon. Friend as anything out of the way when done by Englishmen in Wales, but when done by Russians in Poland it is horrible oppression. Then, another reason why we are to hate and fight Russia is this—she is an ambitious and aggressive Power. Coloured maps are published to show the annexations she has made in various parts of the world, within the last 100 or 120 years. Sometimes she is drawn in the form of a monstrous and gigantic reptile, stretching out her claws to seize that and the other country—for the most vulgar means are used to excite the prejudices and passions of our people. I do not deny that Russia is an aggressive and aggrandizing Power. But I must say that such a charge in the mouth of an Englishman is about as edifying an example of the Devil rebuking sin as I have known in my experience. Look at our annexations and aggrandizements in all parts of the world. How have we been occupied during the same 100 or 120 years? I will tell the House. During that time, from the French we have taken Canada, the Mauritius, Nova Scotia, Dominica, Tobago, St. Vincent, Granada, and St. Lucia. From the Spaniards we have taken Gibraltar, Jamaica, Trinidad, Honduras, and the Falkland Islands. From the Dutch we have taken the Cape, Ceylon, Essequibo, Demerara, Berbice, and St. Helena. From the

Danes we have taken Heligoland, and some forts on the West Coast of Africa. From the Turks—for we have not spared the Turks—we have taken the Ionian Islands, Aden, and Perim. From the Burmese we have taken Aracan, Tavay, and Pegu. From the Chinese we have taken Hong Kong. From the Hottentots, Kaffirs, and other Tribes, we have taken in South Africa a territory which is said to be larger than the Austrian Empire. Why, what took place last year? A small Colonial official, dressed in a little brief authority—or rather, with no authority at all, for he acted in direct contravention of the instructions he received from the Colonial Office—walked into a territory in South Africa, which, I am told, is as large as the United Kingdom; and, without leave or consent from the Government or the people in occupation, annexed the whole of it to the British Empire, and we all threw up our hats in triumph over the glorious achievement. But I proceed with my enumeration. From the Sultan of Borneo we have taken Labuan and Sarawak; and by settlement we have occupied, without asking anybody's leave, New South Wales, Van Dieman's Land, Norfolk Island, Sierra Leone, Swan River, South Australia, New Zealand, North Australia, and Australia Felix, taking possession of the lands of the Natives whenever it suited our convenience, without the slightest hesitation or remorse. And in India we have been plundering everybody. Within the period we fix as marking the encroachments of Russian ambition, we have in that country alone annexed to our territories, by conquest and intrigue, an extent of country whose population is probably nearly three times as large as that of the whole Russian Empire. Yet we go into hysterics of indignation, and say—Look at this aggressive Russia! But, with regard to the countries we ourselves have swallowed, we are like the woman in the Proverbs, who "wipeth her mouth and saith, I have done no wickedness." I am not saying now—that is not my point—that we were wrong in taking all these places. I know the maxim finds much favour in this House, that England never does wrong. But, at any rate, we who dwell in such glass houses, should be chary of throwing stones at others. And mark our difference of appreciation in the two cases. When Russia makes additions to her territory, we ascribe it to her restless ambition, unscrupulous love of aggrandizement. But do we say the same thing in regard to our own acquisitions of territory in Europe, Asia, Africa, and America? Not at all. If we are philosophically inclined, we say that the Anglo-Saxon race is fulfilling its destinies; if we are piously inclined, that we are following the leadings of Providence. But you may depend upon it there are other nations who are not prepared to allow us to set up this double judgment, one for ourselves and another for others; who look upon our aggressions and aggrandizements with as much jealousy as we do upon those of Russia. I do not contend that Russia is blameless. It is no business of mine to defend her. I have no interest in Russia. I do not hold a penny in Russian Stocks. I have no share in any Russian commercial enterprize. I do not think that I have known more than three or four Russians all my life. I have no doubt she has done many things which I should utterly condemn. But I do not believe that we have any commission from God or man to inflict chastisement upon her for her wrong doings. I remember an expression employed by the right hon. Gentleman the Member for Greenwich many years ago, which seems to me to embody a true and sound principle. "It is not in the ordinance of Providence that one nation should correct the morals of another nation." I was in hopes that our countrymen were beginning to acknowledge the wisdom of the doctrine of non-intervention. But it seems there are among us still, men who adhere to the old policy by which we made ourselves the Quixotes of the world, and got ourselves, as the result, hated by all the world. The best way in which we can reform the world, is by giving an example ourselves of upright dealing in all our transactions with other nations. We have neither the right nor the power to do it by force of arms. There is wisdom as well as wit in the following words of Sydney Smith, in a letter to the Countess Grey, in 1823, when the Liberal Party was agitating in favour of some kind of intervention on the Continent:—

> "For heaven's sake, do not drag me into another war! I am worn down and worn out with crusading and defending Europe, and pro-

> tecting mankind. I must think a little for myself. I am sorry for the Spaniards. I am sorry for the Greeks. I deplore the fate of the Jews. The people of the Sandwich Islands are groaning under the most detestable tyranny. Bagdad is oppressed. I do not like the present state of the Delta. Thibet is not comfortable. Am I to fight for all these people? The world is bursting with sin and sorrow. Am I to be the champion of the Decalogue, and to be eternally raising fleets and armies to make all men good and happy?"

What strikes me most in connection with the present crisis is the pitiful impotence of European statesmanship. I remember Sir Robert Peel once saying in this House that diplomacy is a remarkable and costly instrument devised by civilized States to avert war. But if the united diplomacy of Europe cannot find some means of bridging over the chasm which separates England and Russia on this question, it may as well burn its books, retire from business, and confess itself an imposture and a sham. It seems to me that diplomacy has to its hand a means of accomplishing this object. Much has been said about maintaining the Treaties of 1856. Well, among the provisions of that Treaty there is one to which I would venture to call attention, which seems designed exactly to meet such a conjuncture as the present. In Protocol 23 of the Conference, the signatures of all the Plenipotentiaries are attached to the following Declaration:—

> "The Plenipotentiaries do not hesitate to express in the name of their Governments the wish, that States between which any serious misunderstanding may arise, should, before appealing to arms, have recourse, as far as circumstances might allow, to the good offices of a friendly Power."

Why not apply this principle of friendly reference embodied in the Treaty of Paris to the present circumstances? I am quite sure of this—that the man in this emergency who will be entitled to the highest credit, who will most command the respect of the world, who will earn the warmest gratitude of mankind, and whose name will go down with honour to posterity, is not the man who indulged in the loudest and loftiest and most threatening language; not the man who called out the largest array of troops, or displayed the most powerful fleet; but the man who had the wisdom to devise, and the force of character to give effect to, some peaceable means of settling the matter in dispute, and save Europe from having the scourge of war once more let loose to devastate the earth, and to fill the habitations of humanity with mourning, lamentation, and woe.

Sir CHARLES W. DILKE said, he had taken occasion last May to protest against the gospel of selfishness which had come from the other side of the House, and he took occasion now to protest against the same gospel being preached from the benches on which he himself sat. Although he was a supporter of the Amendment which had been moved, he could conceive no speech to which he could listen with feelings of greater pain than the speech which had just been made. He did not think when he came down to the House that he should have heard an apology for the conduct of Russia towards Poland.

Mr. RICHARD said, he had not made an apology for Russia's conduct; he had said it was no doubt bad enough.

Sir CHARLES W. DILKE said, it would be in the recollection of the House, that the hon. Member had over and over again instituted a parallel between the conduct of Russia towards Poland and the conduct of England towards Wales. He had seen something of the treatment of the Poles by Russia; he had been frequently in Poland, and he could assure his hon. Friend that in Poland he would not enjoy nearly the same tolerance for his religious opinions that was his lot as a British subject belonging to the Principality of Wales. In Poland, the churches of the majority were turned by force into churches of the minority. Years after the insurrection of 1863 was put down—in 1864 and 1865—he had seen many instances of the utmost atrocity perpetrated, and masses of Polish prisoners sent in chains to Siberia. He had also seen in Siberia masses of Poles in chains as late as 1871. Besides this, there was much in the speech of the hon. Member to which, although he was supporting the same Amendment as the hon. Member was supporting, he must object. But he did not think that it had any very close connection with the subject before the House. His hon. Friend had, however, condemned the policy of the Crimean War, and in reference to this, as to other matters, he could not agree with his hon. Friend. The policy of the Crimean War, in its inception, tended to prevent the isolated interposition of Russia as the Protector of the Eastern Christians. But that policy had not been carried out to its fullest extent. Had the policy of that war been persistently followed up in the period of peace that had intervened between that time and the present, it would have been found to be a just and wise policy, and one which would have prevented the evils which had now come upon the world. His hon. Friend might take it for granted that the policy of peace-at-any-price, or, perhaps, it would be more correct to say the policy of the Peace Society, was not approved by the majority of the people of this country. His hon. Friend expressed sorrow at the resignation of Lord Derby and his replacement by Lord Salisbury. Here, again, he could not agree with his hon. Friend; for he looked with pleasure on the resignation of the late Foreign Secretary, whose policy was the policy of British interests, and the appointment of his successor who had announced a policy of a wider—in fact, of a European character. That policy commended itself to his (Sir Charles W. Dilke's) judgment. There was a satisfactory answer to the charge which had been brought against the Government by the hon. Member for Birmingham (Mr. Chamberlain) that, nine months ago, the Government had the terms of peace before them to which they did not then object—and that was that the Government were not then called upon to express their opinion on these terms. It had been expressly stated to them at that time that the whole of the questions arising out of the war would be submitted to Europe, and they rested content with that assurance. Substantially, he thought the people of this country would be of opinion that in not accepting the mild terms in which we proposed that the whole Treaty should be laid before the Congress, Russia had departed from the arrangement she had made to submit the whole case to Europe. In reference to the calling out of the Reserves, he could not agree with the course that had been taken by the Government. The conciliatory despatch of Prince Gortchakoff which had that evening been published in London, showed that no such step was necessary; and he would say, further, that in his opinion the step was not in accordance with the Act of Parliament, which laid it down that the Reserves should not be called out except in circumstances of "imminent national danger or great emergency." It could not be pretended that such circumstances existed at a time when negotiations for a Congress were pending, with every prospect of their proving successful. Another ground he had for approving the despatch of Lord Salisbury was the ground which he took in reference to the Hellenic nationality; and his pleasure was increased by the fact that Prince Gortchakoff, in the reply to which he had referred, held out hopes that the Treaty of San Stefano would be so amended as that the Ægean Sea would be left in the hands of its natural possessor—Greece. He must urge upon Her Majesty's Government the necessity for interfering on behalf of the unfortunate population of Greece, who were being so greatly ill-treated at the present time. After reading all the Papers on the subject, he honestly believed that the outrages and the massacres of the Greek population in Thessaly by the Turks were as bad as those which had so roused the indignation of this country some two years ago. The Turks had let loose upon those unhappy people a number of liberated convicts and Bashi-Bazouks, who had committed upon them the greatest atrocities. The Russians had shown the strongest hostility to the Greek nationality, and there appeared to be much truth in the suggestion that the limits of the New Bulgaria were extended to the Mediterranean Sea for the purpose of cutting off the Greeks from Constantinople. It should not be forgotten that the Greeks were the only nucleus around which the populations of that district could gather, and we should be departing altogether from the traditional policy of this country were we not to do our best to protect these young and rising nationalities. Lord Salisbury was faithful not only to the traditions of his Party, but to those of England, in recommending that Her Majesty's Government should take that course. Lord Salisbury was also right in maintaining that the question of the indemnity should be submitted to the judgment of the whole of Europe at the Conference, not so much in the interests of Turkey as of those of these young nationalities who might otherwise be kept in a state of dependence upon

Russia. The question, however, more immediately before the House, was whether it was wise to call out the Reserves at the present time? Although he should not have volunteered to raise this question, still, it having been raised, he must say that he did not see that any national emergency within the meaning of the Act had arisen which could justify that course being adopted. The hon. Member for Birmingham had deprecated our rushing into war; he did not believe that we were about to go to war, but he thought it a most unwise measure on the part of Her Majesty's Government to call out the Reserves, which must necessarily have the effect of disquieting Europe. Had not this step been taken, greater triumphs would have been obtained by diplomacy.

Mr. COURTNEY said, he concurred in the observations of the last speaker, as to the want of wisdom displayed by the Government in calling out the Reserves. It would be well for the House to consider what the emergency necessitating such action was, and how it had arisen. The whole difficulty had occurred from our taking a preliminary objection to go into the Congress on the ground that the Treaty of 1856 could not be altered except with the consent of every one of the parties to it. There was no emergency such as was contemplated by the Act. A great emergency—a great national danger—should be something that required instant action. The preliminary objection which had been raised was fully discussed in "another place" by Lord Selborne; and he (Mr. Courtney) believed that when the matter was quietly considered, it would be found to be one which could not be sustained. If it were sustainable, any one of the Powers who were parties to the Treaty of 1856 might say, with reference to any Article in the new Treaty—"I object to that Article; you cannot put aside the old Treaty and put this in its place." That was not the real meaning of the Protocol of 1871; the real meaning of it was this—that no one Power should, by the mere exercise of its will, set aside the obligation of a Treaty. It was untrue to say that a Treaty could not become obsolete or inoperative except by the consent of the parties to it. He was sure that neither the Chancellor of the Exchequer nor any other Member of the Government would say that, except by the consent of all the parties to it, a Treaty could not be dissolved. Treaties were constantly dissolved by effluxion of time and by change of circumstances. What had been the line taken by Her Majesty's Government? Lord Derby said, that before they entered the Congress, every Article of the Treaty must be placed before it, not for acceptance, but in order that it might consider what Articles required acceptance or concurrence by the several Powers. If this stipulation had been accepted, each Power would have been entitled, of its own motion, to refuse to accept any Article it pleased; and Russia would thus be bound beforehand to submit to the unknown action of every other Power. It was impossible for Russia to assent to this. It allowed discussion. It could not allow the claim to reject at pleasure any Article of the new Treaty. Each Power might discuss at the Congress anything it liked, but could not raise the ghost of the Treaty of 1856 as binding the Powers in 1878; and it was greatly to be regretted that the Congress should have been broken off on such a point. Lord Salisbury's despatch had been pronounced to be a great masterpiece, and so it was; but it was a great masterpiece of indiscretion, for no document could have been issued more calculated to put a peaceable settlement of that question in jeopardy. Her Majesty's Government had received information of the Russian terms nine months ago, but had never raised any objection against them. He argued that the terms which were now so much complained of were very little different from those of the Conference at Constantinople. With respect to the size of the new Principality of Bulgaria, he contended that there was no such increase of it now proposed as could not be revised and considered at the Congress. He also pointed out the great inaccuracy of the statements which had been made with regard to the new Prince of Bulgaria. The Treaty proposed that the Prince should be elected by the people—upon which, if it stood alone, he should lay no stress—that his election should be assented to by the Porte, and should also be confirmed by the Powers. [Sir H. Drummond Wolff: The Russian Army.] Would, he asked, the presence of the Russian Army affect the confirmation by the Powers? Then Lord

Salisbury's despatch alleged that the claims of protection set up by Russia under the Treaty of San Stefano were not less ample than those which she had set up under the Treaty of Kainardji. Now, the Treaty of Kainardji contained an Article to this effect—that the Porte promised to protect the Greek Christians in Turkey, and also to give certain special facilities for the erection of a Russian church in Constantinople. Those were two totally distinct promises. The first gave Russia a right to insist on protection being afforded to all Greek Christians in Turkey. But the Article of the Treaty of San Stefano, on the other hand, only stated that the right of official protection should be afforded to the Imperial Embassy and the Russian Consuls in Turkey, both as regarded the persons above mentioned and their possessions, the religious houses, &c., at the Holy Places, and elsewhere. It seemed incredible that anyone should say this restricted provision was not less ample than the provision of Kainardji. The course taken by our Government was calculated to impress the Russian people with the idea—which he did not, of course, share—that the failure in diplomacy which had occurred was a wilful one, and that we now wished to go back to the position which we had abandoned or had abstained from taking up last June. When they were considering the issues of peace or war, surely they could devote a little time to see what were the real facts of the matter in dispute. What did the Government intend to do? Did they intend to fight? To go into the Conference, or simply to swagger? It was a question of a game of brag or war, and, if brag was not successful, war would inevitably result. This game of brag rested on a false foundation both in theory and fact—the notion that Russia was exhausted. This had misled Her Majesty's Government twice already, and it would seem as if it were likely to mislead them again. Anyone who knew the Russian people, and had realized the motives of the Czar, knew that exhaustion would not stop them. What was the future which Her Majesty's Government had before them? Did they intend to go to war—a miserable war, for miserable objects, which could only have a miserable conclusion? The Government had put themselves into a position from which there was no hope of escape, except by means of war, unless some great neutral Power—might he hope Germany would be that Power?—would come between England and Russia, and endeavour to relieve us from the false position in which we had placed ourselves. He was no more enamoured of the Treaty of San Stefano than hon. Gentlemen opposite; he thought it a great blot in the Treaty that the Bosnians and Herzegovinians, who had first fought and suffered, were left practically uncared-for; but he thought much might be done if the Treaty was considered in a Congress into which Her Majesty's Government would consent to enter in a fair and reasonable spirit.

THE MARQUESS OF HARTINGTON: If, Sir, I felt convinced that the measure on which the Address now under our consideration is based, was one of a decidedly warlike character, and was calculated to lead us to an immediate and speedy war, I should have no hesitation in voting for the Amendment of my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson). If I even thought that it was probable that that measure would be followed by an ultimatum, and that that ultimatum would be followed by a Declaration of War, I should not hesitate to take that course. Again, if I felt that this was the last opportunity which we were likely to have of discussing the policy of the measure of Her Majesty's Government, I might hesitate before I agreed to an Address which, though in itself pledges the House to nothing but a respectful expression of thanks to Her Majesty for Her Gracious communication, might, nevertheless, be the last occasion on which we might have an opportunity of expressing our opinion on the policy of the Government. But, in circumstances such as those in which we find ourselves, I am of opinion that it is not desirable that we should seek to multiply occasions of difference between one side of the House and the other. I fully subscribe to all that was stated last night by my right hon. Friend the Member for Greenwich (Mr. Gladstone), when he explained why, in his opinion, it was neither necessary nor desirable that an Amendment should be moved, and why he did not think that any useful object would be gained by an Amendment. My hon. Friend the Member for Carlisle, in using his superior judgment, has decided otherwise;

but, although I fully allow the right of my hon. Friend, or of any other Member of this House to take that course which commends itself to his conscience, I must protest against the course which he has taken on this occasion—a course against which the Forms of the House do not enable us to protect ourselves, and which compels us to take one of three courses, neither of which is in accordance with the wishes and feelings of a great body of hon. Members—either to assent to an Amendment which we consider ill-timed and unnecessary, or to express, as we shall be considered to do in the country, a full acquiescence in the measure taken by the Government, for which many of us see no adequate necessity; or, in the last resort, to take a course which, in my opinion, is rarely justifiable—and in circumstances such as those in which we find ourselves most painful to our feelings—to abstain from giving a vote, from giving any answer to the question, to which either answer, "Aye" or "No," would be far from expressing the feelings and opinions which we really entertain. Although I am unable to give support to the Amendment moved by my hon. Friend, we are, in my opinion, entitled, on this occasion, to examine the policy of Her Majesty's Government. I am bound to admit there has been some difficulty in arriving at any very accurate idea of what that policy is from the speeches that have been delivered from the Treasury bench. We have heard in this and in other debates, we have heard in this and the other House, conciliatory speeches and threatening speeches. In the debate which took place not long since upon the Vote of Credit, we heard most divergent explanations of the policy which dictated that measure. We were told by one Minister that it was only a Vote of Confidence, and, if it were granted, probably very little of it would be expended. We were told last night by the Secretary of State for India that it was always intended to spend the greater part of it, or the whole, in military preparations. We have heard of declarations scarcely less discordant upon the policy of the measure of calling out the Reserves. We have been told in speeches, to which I have been glad to listen, that it is not a warlike policy, that it is merely a measure of precaution; and, in "another place," we have heard the declaration that it was the sole remaining means by which the balance of power in the Mediterranean could now be maintained, and the sole measure which remained for the protection of the freedom of Europe. Sir, I think I shall be entitled to use language which was used to us last year, and, in my opinion, with far less justification, by the Secretary of State for the Home Department. I shall be entitled to ask Her Majesty's Government to answer to the people of the country, straight out, this question—

> "Will you go to war? . . . . . It is a simple question," said the right hon. Gentleman. "It is a vital question. It is a question that admits of no deviation. It can only be answered in a monosyllable one way or the other. Are you prepared to engage the country in a war with Russia as an Ally against Turkey?"—[3 *Hansard*, ccxxxiv. 459.]

I think I should be entitled to ask Her Majesty's Government, after the ambiguous utterances we have heard, to answer, in a single monosyllable, the question straight out—"Are you prepared to go to war with Turkey as an Ally against Russia?" In the critical, the momentous, circumstances in which we now find ourselves, I confess my object is not so much to found a charge of inconsistency in the language which has been held by Her Majesty's Ministers, as to try to find out, for the information of this House and the country, what their policy really is, and to find out whether there is any ground upon which the Government and the Opposition, or the majority of the supporters of the Government and of the Opposition, may unite, and upon which they may act together—for I believe if such a common ground could be found, in that agreement and in that concord would be found the surest and the most hopeful prospect of peace. In that spirit I have listened to much of the debate of the last two nights, and I have read the declarations of Her Majesty's Ministers in "another place." I need not say that I listened with great satisfaction to the speech in which this Motion was introduced by the right hon. Gentleman the Chancellor of the Exchequer. I heard with satisfaction from him that he recognized that the system established by European Treaties with regard to the East of Europe has finally broken down, and that another system must take its place. With satisfaction, I heard him say that this could only be satisfactorily accomplished by a true Conference, that he was anxious that the Conference should meet, and, above all, that he still trusted it would meet. I heard also with satisfaction, the greater part of the speech of the Secretary of State for India, which was more moderate in its tone than some we have been accustomed to hear from that quarter. I heard the right hon. Gentleman deny that this measure was one of a warlike character; I heard him say that it was a measure of precaution, and I trust that is a correct description. The Forms of this House do not permit me to refer in detail to the declarations, important as they were, which were made last night in "another place." I think I am able to perceive, in spite of expressions of a doubtful character which I regretted to read, that the drift of the declarations was that the Circular Despatch, which has attracted so much attention both here and on the Continent, was intended not as an ultimatum, but rather as an argument; it was not intended as an ultimatum to which the Government demanded the assent of Russia or of Europe, but rather as an argument for the complete and full discussion by Europe of all the conditions of European peace. Well, if I have not placed too favourable a construction upon the declarations made here and elsewhere by Her Majesty's Ministers, I believe I may assume that what they want and what we want is European concert, and that we both believe that that European concert will depend on the assembling of a Congress. It is somewhat strange that the only person who appeared to attach no great importance to the early assembling of the Congress was the late Foreign Secretary; and I may say it was most unfortunate that, in a Cabinet in whose opinion the failure to meet of that Congress made it necessary that warlike preparations should at once be made, the negotiations for the assembling of that Conference should have been entrusted to one in whose opinion it was of comparatively little importance whether the Congress should meet or not. I can fully understand the reasons why Lord Derby thought it a matter of comparatively small importance whether the Congress did or did not meet; but they were reasons which were not shared by his Colleagues. His Colleagues thought it was a matter of vital importance that the Congress should meet, but on their terms—and, I repeat, it was unfortunate that the negotiations for its assembling should have been entrusted to one who did not share their opinion, and that he had no desire that the Congress should meet at all. I shall not go at any length into a discussion of the negotiations which brought about the failure of the assembling of the Congress; but I must say that I do greatly question whether the last reply received by the Government from Russia ought to have been taken as a direct refusal to enter on the Congress upon the terms required by Her Majesty's Government. I may admit—it is open to us to admit—that the condition required by the Government was a reasonable one. It is open to us to admit that the object of the Government was a legitimate one, that the whole subject of the Eastern Question should be open to discussion in the Congress; the Treaties of 1856, 1871, and the changes that have happened since, including the Treaty of San Stefano—all, in their opinion, and in my opinion, should have been open to discussion in the Congress. Very well, Sir; but while I think that the Government were justified in laying down that condition, and that the object they had in view was one they were entitled to put forward, it seems to me that they took a somewhat unfortunate mode in urging their demand on the acceptance of Russia. On one point I think they made a very unfortunate mistake. From whom did the invitation to the Congress come? It came from Austria; and why were not the negotiations left in the hands of Austria? There have been throughout all these negotiations strong differences of opinion between Her Majesty's Government and the Government of Russia—a direct Correspondence between these two Governments was not most likely to lead to a satisfactory arrangement. Austria initiated the Congress, and to Austria, in my opinion, it should have been left to settle the bases for the Meeting of the Congress. And then the Government altogether omitted to consider that, although there was right and justice in their view of the case, there were nevertheless two sides to the question; and, while they were justified in the demands they made, there was, at all events, much to be said for the argument put forward by Russia, that by assenting to any special declaration on their part they would enter the Congress on different terms from those on which the other Powers entered the Congress, and would perhaps place themselves in a position of inferiority as compared with other Governments. If it had been a question of summoning Russia and Turkey before a tribunal which was to decide on their conduct in recent events, one could understand that other Governments might be justified in laying down different terms for the participation of Russia in the Congress from those on which they were themselves to enter. But there was no pretension of the sort. Russia had a right to demand to enter on perfectly equal terms with every other Power represented; and, therefore, I think the Government omitted to give sufficient weight to the representations put forward by Russia—that, by submitting to any conditions different from those of the other Powers, she would be placed in a different position from them. While I admit the Government were justified in putting forward their view, I think that the objection of Russia was rather one in point of form than of substance. I shall, therefore, trust, that in some way or other these negotiations may be resumed, and that the Conference will not be indefinitely postponed. I should like to say a word of the Treaty of San Stefano, and the Circular in which it was so severely criticized. I believe that the opinion is very generally held on this side of the House that the Treaty of San Stefano is open to a great deal—certainly not to all—but to much of the criticism raised in that despatch. I think it is held on this side of the House that in some respects that criticism might even have been extended. My right hon. Friend referred last night to the provisions regarding the retrocession of Bessarabia. I shall not say more on that point; but I think it may be added that it is felt here that the limited advantages proposed by the Treaty to be conferred on the Greek subject-population of Turkey, as compared with the greater advantages conferred on the Slavs, are neither just nor politic. I think also greater stress might have been laid upon the little prospect of the permanence of an arrangement which left certain territories under the direct control of the Porte under such anomalous conditions, and under such conditions of inferiority, as compared with territories lying nearer to the centre of the Government. It might have been pointed out that it was a cruel kindness to the Porte to leave it in such a position with regard to the populations over whom, even with the utmost good-will, it was scarcely possible it could exercise with effect any of the ordinary duties of government. I think, therefore, that, without entering in detail into the criticisms of Lord Salisbury on the Treaty of San Stefano, it may be admitted that it is felt on both sides of the House, that the settlement proposed by that instrument is one which, before being cordially accepted by Europe, would require careful and considerable revision. But while much may be urged in condemnation of that Treaty, I am bound to say, that, coming as it does from Russia at the end of a war between Turkey and Russia alone, it is one which it is not unreasonable for Russia to propose, and it is one which, having been considered in a European Conference, might have become the basis of a permanent settlement. At all events, so far as we are concerned, there are reasons why that Treaty should be canvassed in a spirit of conciliation and forbearance towards Russia. I am not speaking now only of the sacrifices which Russia made in the late war. But, if it were possible to put ourselves for one moment in the place of Russia, I think we should feel that after we had been engaged in almost a life and death struggle, after we had lost 100,000 men, after we had made great financial sacrifices—sacrifices far more onerous to Russia than any which it is possible for us to conceive—I think if we can place ourselves for one moment in the position of Russia, we should not view with much patience or forbearance the criticisms of any Power which came between us and the realization of our object. But, putting aside that consideration, I say there was a special reason why we should discuss that Treaty with calmness and moderation. We had during the progress of the war been in constant communication with the Russian Government as to the conditions of our neutrality, and more than as to the conditions of our neutrality—as to the ultimate terms of peace. I cannot accept as satisfactory the reply which was made by the Secretary of State for India last night as to the nature of the communications which passed between Russia and ourselves. I cannot accept the view, which, as I understood him, he put forward in reference to the Correspondence, that the Russian communications were made to us solely with a view to our mediation between Russia and Turkey.

MR. GATHORNE HARDY: I beg the noble Lord's pardon; I said that our mediation was expressly refused.

THE MARQUESS OF HARTINGTON: I think Lord Derby's first understanding was that the communication was made with a view to see whether we would undertake to mediate between Turkey and Russia. Lord Derby, on the 11th of June, 1877, writing to Lord Augustus Loftus, speaking of a confidential conversation which he had with the Russian Ambassador, says—

> "I thought it right to point out that, even assuming that Her Majesty's Government were prepared to assent to the terms proposed, as to which I must for the present abstain from expressing an opinion"—

The House must observe that Lord Derby does not say that he demurred, but only that he did not express an opinion—and he added, "it did not follow that those terms would be accepted at Constantinople." That statement rather appears to bear out the idea that Lord Derby thought the terms which had been communicated were sent for the purpose of being proposed to Turkey. Lord Derby went on to say—

> "Count Schouvaloff answered that the object of his Government in the communication which they made to us was not so much that Her Majesty's Government should use their endeavours to press upon Turkey the conditions of peace referred to, but rather to insure the neutrality of England by the evidence thus afforded of the moderation of their intended demands. As regarded the Porte, he had no expectation that the conditions proposed, moderate as they might be, would be accepted until the Turkish Government had learnt, by painful experience, how inadequate their means of resistance were."

That certainly does not bear out the statement of the right hon. Gentleman that our mediation was refused. Count Schouvaloff merely said that the communication had not been made with the view of mediation, but with the view of our knowing what the altered terms of peace to be proposed by Russia were. Therefore, it appears from the evidence of these Papers, that Her Majesty's Government, or, at all events, the late Foreign Secretary and the Prime Minister, who no doubt was cognizant of them, did not consider it necessary to demur in any shape or form to the statement made by Count Schouvaloff that the terms were moderate and were not inconsistent with the maintenance of the neutrality of England. Well, if the Government were of opinion that those terms, which, as I understand it to be admitted, do not differ in substance, although they may to a certain extent in degree, from the Treaty of San Stefano, were utterly inadmissible, was it not their duty at that time to protest, if they did not think it their duty to do more than protest—to take active steps to prevent Russia from placing herself in a position to demand those terms from Turkey? How, I ask, can the Government reconcile to themselves the maintenance of neutrality, in a war of the result of which they at that time could have very little doubt, if the terms were, in their opinion, altogether inadmissible? But those were not all the communications which passed between Her Majesty's Government and Russia. At a later date those terms were again referred to in a communication which was made to Colonel Wellesley. The Memorandum of Colonel Wellesley of a conversation with the Emperor, stated that the conditions of peace lately communicated to Lord Derby by Count Schouvaloff would remain the same as long as England maintained her position of neutrality. What was the answer of Her Majesty's Government to that Memorandum? Lord Derby wrote to the effect that Her Majesty's Government had received with satisfaction the statement made by the Emperor as to the object of the war in which he was engaged, and his disclaimer of any idea of annexation. [*Ministerial cheers.*] It is not necessary for the object I have in view to refer to this matter; but, as hon. Members opposite appear to think that the Emperor of Russia had at that time no idea of annexation, I will read the rest of the paragraph in the Memorandum—

> "His Majesty has no idea of annexation, beyond, perhaps, the territory lost in 1866 and certain portions of Asia Minor."

The reply to that was, that Her Majesty's Government received with satisfaction the statement made by His Majesty as to the object of the war in which he was engaged, and his disclaimer of any idea of extensive annexation. This was not the last Correspondence that passed between the two Governments. It may be said, perhaps, that at that time the Russians had obtained no great advantages, and that Her Majesty's Government were waiting to see what would be the probable issue of the war. But in the middle of December, long after the fall of Plevna, and long after the issue of the war was virtually decided, the Imperial Cabinet sent a communication to the British Cabinet. It stated that the Imperial Cabinet appreciated the friendly intentions which had promoted the communication to Count Schouvaloff, and, being animated with the same desire to maintain friendly relations between the two countries, the Imperial Cabinet requested Her Britannic Majesty's Secretary of State to define British interests, with a view of reconciling them with those which Russia was bound to protect. Here, at all events, after the issue of the war was virtually decided, was an opportunity for the British Government to protest, if they had thought it necessary to do so, against what they knew would be the minimum terms of peace that would be demanded from Turkey by Russia. But what was the answer of the British Government to that? It was simply a request that the position of Gallipoli might not be occupied. No reference even then was thought necessary to the terms which Her Majesty's Government had been informed and knew would be the least that would be demanded of the Turkish Government. Well, Sir, I hold that after these communications it is utterly impossible for the Government to refuse to accept the preliminary Treaty of San Stefano, as, at all events, a basis for negotiation. It was impossible for them to contend that the Treaty must altogether be set aside unless they are prepared at the same moment to pass a most emphatic condemnation of their own policy of neutrality throughout the war, and to hold themselves up before the people of this country as grossly negligent of the interests of Great Britain in maintaining a neutrality, the end of which they knew must be the demand by Russia of those terms which they appear now to think to be totally inconsistent with those interests. I will now say a few words on the great change which appears to have come over the whole character of the policy of the Government. Up to a certain point we know what was the charter of their policy. We know what were the landmarks which were laid down nearly a year ago by the Secretary of State for the Home Department. The charter of their policy was the despatch of May 6. But, within the last week, we have heard no more of the landmarks. We have heard no more of the position of neutrality as defined by this despatch of the 6th of May. We do not hear any more of special British interests, but we hear of objections which are urged against the Treaty on apparently European grounds. Well, I do not take any exception to that change. I have pointed out before now that Her Majesty's Government confined their attention too much to purely British interests. I have ventured to point out that a policy which concerns itself with British interests alone might be described as a selfish policy, and that description of it was not, I think, very hotly repudiated by the other side of the House. I pointed out that such a policy must necessarily be an isolated policy, and that we could never hope to get the co-operation of Europe if we ostentatiously proclaimed that we only cared for British interests. But, if it is now necessary for us to make preparations of a warlike character, and if we contemplate the necessity, not of immediate, but of ultimate, war, it must be either for the defence of British interests, or else it must be for a European policy; and the House and the country have, in my opinion, a right to know whether it is in defence of a policy of protection of British interests or of a European policy that these warlike preparations are being made. If the preparations are being made in defence of British interests, then it is necessary to ask—in what respects are these interests more endangered now, and in what respects are the landmarks of the Home Secretary more interfered with now, than they have been at any period during the war? I quite admit that one of the landmarks has been closely approached, and that the Russians are and have been for some time in virtual possession of Constantinople. But if Her Majesty's Government did not think it expedient to endeavour to prevent that virtual occupation of Constantinople at the time it was commenced, what has since arisen to render such a step necessary? Certainly none of the other interests which they defined have been in the slightest degree menaced or approached. Are we going to fight in defence of a European policy? In that case, we are entitled to ask what view does Europe take of your European policy, and what assistance do you expect to receive from Europe in your defence of the rights, privileges, and freedom of Europe? From some language that has been held, one might infer that, as we hold that the Treaty is hostile to the interests and the freedom of Europe, we are prepared to force Russia to alter that Treaty if necessary alone. Well, Sir, I protest altogether against any such doctrine. I have not been sorry that the Government have expressed with freedom and plainness to Russia her objections to the proposals she was making; but plain speaking ought to be made use of to all the Powers of Europe as well as to Russia, and a plain declaration of their opinion in respect to the other States of Europe ought to be made. I hold it is no part of the business of this country to undertake the defence of the interests of other nations or to preserve the freedom of Europe. If Austria, and Germany, and Italy, all having Armies in comparison with which ours is a small Army, are unable or unwilling to take any part in the preservation of their own freedom and their own liberties, I deny altogether that it is any part of the business of this country to protect them for them. I have no objection to the Government saying—I think it is their duty to say—that they are ready to do their part in combination with the other Powers of Europe, but it is at the same time their duty to let it be known that they are not going to undertake the task—which other nations might be glad to see them undertake—of defending their interests and their freedom. If the Government have reason to believe that the other Powers will cooperate with them, that the other Powers take the same view of the Treaty as that which is taken by themselves, why do they not lay upon the Table of this House the evidence of that circumstance? They have laid no such proof on the Table. They have not shown us that their objections to the Treaty are shared in by the other Powers. They have not shown us that the other Powers are prepared to resist the Treaty. I say that until they are able to show that the objections they have taken are shared in by the other Powers, and that the other Powers are prepared to cooperate with them in resisting, they have made no case for going to war in defence of European policy, and it is not necessary to go to war in defence of British interests. This, then, is the proposition to which I wish the Government to give attention. If you contemplate war—and, undoubtedly, you do contemplate the possibility of war—there is no occasion for it on the ground of special British interests, and there is no reason to undertake it in defence of European policy. We have a right to ask the Government, before the close of this debate, to say whether they assent or whether they do not assent to that statement. We have a right to know before we are asked to make the sacrifice, before we are asked to prepare for war, what the answer to that question is which the Government will give. Before I sit down, there is one word I would say, one final appeal which I should like to make to my hon. Friend the Member for Carlisle. In my opinion, the danger —and there is a danger—the danger of war arises from two sources. In the first place, there is a danger of the Government, by the language which they hold, rendering any acceptance of modifications of the Treaty impossible by Russia. There is another danger. There is a danger lest, by the language held by a Party in this country, the Russian Government may be encouraged to believe that they will be supported in any refusal to entertain demands, however just. Sir, it does appear to me that perseverance by my hon. Friend in the Amendment which he has moved must, in both these cases, do harm. My hon. Friend knows that the Government will have, if he proceeds to a division, an immense majority. My hon. Friend also knows in what sense that majority will be construed by the War Party in this country. My hon. Friend knows—at all events, he ought to know—that the majority will be represented by those who are not averse to war as an issue which will enable the Government to go to war, and as a majority in favour of a warlike policy. On the other hand, every vote which my hon. Friend receives may be—I will not say it will be—it may be construed by the Russian Government as a proof that they may count upon the existence in this country of a Party which is prepared to back them up against their own Government in resistance to any modification that is claimed, however reasonable. I think my hon. Friend can hardly have carefully weighed the grave issue which he has raised, an issue to my knowledge which he has raised, not only without any concurrence, I will say nothing of the official Leaders of the Party to which he belongs, but even of those with whom he more immediately and directly acts. I trust my hon. Friend will weigh well before he raises an issue of so great, perhaps so momentous, importance in the future of this country; and that he will take the advice that I know has been pressed upon him from many quarters, and will not think it necessary to press this unfortunate, and, as I think, ill-advised, Amendment to a division.

LORD ELCHO said, he would gladly express the strong view he held, that the resignation of Lord Derby, the despatch of Lord Salisbury, and the measures taken by Her Majesty's Government, would tend to peace, rather than war; but he would abstain from doing so on the present occasion. He had risen simply for the purpose of putting a Question to his right hon. Friend the Chancellor of the Exchequer. Many Members of the House had noticed that in the earlier part of the evening, between 7 and 8 o'clock, the third edition of *The Times*, giving Prince Gortchakoff's reply to Lord Salisbury's despatch, was brought down to the House in several batches. About 11 o'clock, he saw the hon. and learned Member for Oxford (Sir William Harcourt) bring a bundle down to the House, which the hon. and learned Gentleman distributed amongst his Friends. He believed there were some copies opposite to the hon. and learned Member on the Table at that moment. He had not seen similar bundles brought down by any hon. or any hon. and learned Gentleman on this side of the House. Seeing that there was a difficulty sometimes in the Government getting even Treaties as early as other parties came into possession of them, he should like to know whether that reply had been or was now even in the possession of the Government? Also, whether Lord Salisbury, or any Member of the Cabinet had seen it; and if—as he believed it was so—it was not yet in the hands of the Government, whether the right hon. Gentleman could explain how it happened that a despatch of such importance found its way to the public Press of this country before it reached Her Majesty's Government?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I did not rise immediately after the noble Marquess sat down, because I knew my noble Friend was going to put this Question. I think I can give an explanation—or, at all events, a probable explanation—of the publication of the despatch to which he has referred. In the first place, no such despatch has yet been received by Her Majesty's Government; but I apprehend that the despatch, which I have no doubt has been addressed by Prince Gortchakoff to the Foreign Powers, will be communicated by messenger, or by some other means, to the Government of this country in due time. What I presume has taken place is this—that the publication of the despatch, which is in the form of a Circular, has been made at St. Petersburg, and, probably, has been telegraphed by a newspaper correspondent. It must be borne in mind that the Circular Despatch of Lord Salisbury itself was communicated to Parliament as soon as it was drawn up; there is nothing in this to take exception to, although, no doubt, there may occasionally be inconvenience. I will now proceed to say a few words in reply to the observations which have been made in the course of this debate, and especially to those which have fallen from the noble Lord opposite. I wish to repeat in general terms that which I had endeavoured to express when I had the honour of moving the Address to the Crown. I wish to express to the House my conviction that it is an entire misapprehension to represent the series of steps which have been taken by Her Majesty's Government, in the views they have expressed with respect to the Conference, in the Circular Despatch of the Secretary of State, and in the message which has been communicated to Parliament—it is, I say, an entirely erroneous construction to put upon those steps, to say, or to believe, that they are measures intended, or likely, to precipitate war. I regard them, as my noble Friend regards them, as measures intended, and, I hope, well qualified, to avert and prevent war. Of course, it would be childish to say that we do not recognize the possibility of war, but we do not believe that these steps are in any way calculated to accelerate it. On the contrary, we believe that the best chance of averting the danger is to adopt the measures we have suggested. Now, there is a verb which has been conjugated in this discussion many times over—a verb of evil omen; it is the verb "to drift." On many occasions, from different quarters, and in both Houses of Parliament, we have had the changes rung on it—"We are drifting," "you are drifting," "they are drifting," "we have drifted," "we may drift," "we shall drift," into war. Now, Sir, of all things that are dangerous and objectionable, "drifting" into a state of war, is the worst and the most dangerous. And wherein does the danger of drifting consist? It consists, as I believe, not so much in action as in inaction, in the middle of a dangerous current. My belief is that a good navigator, who found his vessel in a strong and dangerous current, and in the midst of rocks and shoals, would think it safer to get up steam so as to have his vessel well under way, rather than by doing nothing let her drift. And so it has been the case here. We have found it necessary that this country should take up a firm and distinct attitude, and have a certain amount of way on her, and so be the better capable of being guided. And for that reason, we have taken the steps we have adopted. There is another fallacy, which, to a certain extent, has pervaded the arguments raised against us, and it is the fallacy that Her Majesty's Government object to go into Conference. That, Sir, is the greatest possible fallacy. What we do object to is, not going into the Conference, but the not being able to go into the Conference. We object to take up a position which would lead to what may be called a "sham Congress," without a concert. Some observations were made by the noble Lord upon remarks said to have fallen from Lord Derby, from which the noble Lord inferred that Lord Derby was the only, certainly, one of the few, persons who attached very little importance to going into a Conference. That is not altogether an accurate statement of what I believe to be Lord Derby's views. What I understand Lord Derby to hold upon this matter is this—that a Conference is an excellent thing if it be regarded as a means of bringing together Powers who are in concert, and who understand one another; but that to go into a Congress, unless you have such a concert, would be of very little good. Therefore it was that Lord Derby strongly insisted upon the necessity, before we went into Congress, or Conference, of having it thoroughly understood what it was we were to discuss. We have been most anxious to ascertain whether everything involved in the settlement to be made would be open for discussion at the Conference; and it is only because we have been endeavouring to make assurance quite sure upon that point, that we have not yet found ourselves able to come to an agreement for entering into that Assembly. I see no reason even now to despair of such an understanding being arrived at, and of such a substantial concert being secured as may enable us to go into the Conference—as we should be most desirous, if it were possible, to do. But we are determined that the point we have taken up is a right and sound point, for it is this—that we cannot go into the Congress unless we understand that we are to be at liberty to discuss that with respect to which it is called. What said the noble Lord just now? He said, as I took his words, that the question was whether we had declined to take the Treaty of San Stefano as the basis of the Conference? Why, Sir, our difficulty has been that we have not been allowed to take the Treaty of San Stefano as the basis of the Conference. What we require is that we should have the Treaty, the whole Treaty—and I may add, if you please—nothing but the Treaty, as the basis of the Conference. I was struck by an observation made by the hon. Member for Dundee (Mr. E. Jenkins) in the earlier part of the evening. The hon. Member seems to have some private information, as to what goes on among Foreign Powers, which is denied to Her Majesty's Government. He told us that he had reason to believe that France had made a stipulation, which we had accepted, while we had refused to Russia that which we were prepared to grant to France. He said that France had stipulated that if she went into Congress nothing should be discussed there except what was contained in or sprang from the Treaty of San Stefano. If that be so, France may be said to have held—"If you discuss the Treaty, you cannot discuss anything else;" and if that be a legitimate demand upon the part of France, it is equally legitimate on the part of England. That is the position we take, and we desire that it should be clearly understood. Another fallacy has been promulgated upon this subject. It is said that in making this demand we are desirous of humiliating Russia. Humiliating Russia! That seems to me to be the most absolutely indefensible proposition that anybody could make. Not one word have we said that could tend to humiliate Russia. It has been thrown out that we made this demand in a manner which was presumably offensive to the Government of Russia—when, in point of fact, Russia was not the Power with whom we ought to have been in correspondence on the matter, because the proposal came from Austria, and to Austria we ought to have addressed ourselves. It is true that the invitation came to us from Austria, and it is equally true that we made our reply to that Power. On the 9th of March, Lord Derby addressed a communication to Count Beust, in which he said—

> "Her Majesty's Government consider that it would be desirable to have it understood in the first place, that all questions dealt with in the Treaty of Peace between Russia and Turkey should be considered as subject to be discussed in the Congress; and that no alteration in the condition of things previously established by Treaty should be acknowledged as valid until it has received the assent of the Powers."

If hon. Members have this Paper in their hands, they will see that, again and again, communications were made to Austria on this subject, and it was not until a week later that communications were opened with the Government of Russia. On the 14th of March, Lord Derby wrote to Lord Augustus Loftus as follows:—

> "The Russian Ambassador has this day communicated to me a copy of a telegraphic despatch from Prince Gortchakoff to the following effect:—
>
> "'St. Petersburg, March 14, 1878.
>
> "'All the Great Powers know already that the completed text of the Preliminary Treaty of Peace with the Porte will be communicated to them as soon as the ratifications shall have been exchanged—a matter which cannot be delayed. It will be simultaneously published here. We have nothing to conceal.'"

It was with the Government of Austria that our communications were opened, as they properly ought to have been; and it was only because there seemed to be some doubt as to the meaning of our demand, that we wished to put the matter before the Russian Government in a manner perfectly clear and intelligible. Then we are told that we are in some degree precluded from entering into any of these questions with Russia, and that we are also precluded from expressing our views freely upon the Treaty of San Stefano, because of the communications which took place in the summer of last year on the subject of the demands which Russia stated she would make if she came to propose terms of peace. A great deal has been made by my noble Friend, and by other speakers, of these communications, and I venture to think that an entirely false aspect has been given to the whole of these proceedings. I am very reluctant to take up the time of the House by going into those matters; but, after the remarks that have been made, it is scarcely possible for me to avoid noticing them altogether. What was the real object of those proceedings? Has the noble Lord taken the trouble to look back at the occasion when the first communication was made? It was made about a month, I think, after the despatch of the 16th of May, by Lord Derby, on the part of the British Government. It laid down propositions with regard to the Congress. In the communication made in answer about a month afterwards, Count Schouvaloff laid down various points, and said that he had the authority of his Government to state that if England would exercise her influence over Turkey with a view of making peace, Russia would accept them? What were those conditions? Every one of those conditions had a certain resemblance to the Treaty of San Stefano, but every one is put forward with a qualification which amounts to the whole question now at issue. Bulgaria up to the Balkans was to be made an autonomous Province under the guarantee of Europe; Montenegro and Servia were to have an increase of territory, in both cases to be determined by common agreement. None of the questions were to be settled, except by a general understanding; so that, one after another, we have those propositions proposed, with the particular qualification upon which we now insist. We do not say that they were conditions which ought not to be considered; on the contrary, we think they ought to be discussed as matters of common interest to Europe. That makes all the difference in the world in the view that we take of the matters having regard to our own interests. What we felt, and what is strongly expressed in Lord Derby's despatch, is that the Treaty of San Stefano, if taken as it stands, places Russia in such a position of command over the territory of Turkey, that it would enable her to exercise a most dangerous and prejudicial influence throughout that quarter of the world in which we have the greatest interest. There are several objections to that Treaty, such as the insufficiency of the guarantees with regard to the subject-population, which might lead to further complications and wars. But, looking at the Treaty as it affects British interests, I say that no one can fail to see the enormous difference between it and the proposals for the Conference. The noble Lord says "that you are going in this matter far beyond the celebrated landmarks of your policy laid down a year ago." But the noble Lord forgets that things have changed since then, and that some of the landmarks to which he refers have been altogether submerged. The war is at an end, and the particular dangers against which we then had to guard are now, in a great part, gone by, and do not arise in the shape in which they might have arisen. But the same points are to be guarded, the same interests have to be protected; and we think and believe that the Treaty of San Stefano, if allowed to remain, would seriously affect British interests. That Treaty threatens our communications with India by way of Egypt; it threatens us as a maritime Power. England has a very serious interest in this matter, and we cannot afford to look with indifference upon a complete transfer of power in the East to the great Empire of Russia. We must know our own interests, and we must look into this matter, and demand that it should be carefully considered by Europe with a view to a settlement. The noble Lord asks whether we are going to fight for British interests or the support of European policy? We are not going to fight at all, but we intend to maintain both British interests and European policy. We hope that the lead we have taken, and our position in coming forward with no selfish object, for what we believe to be the common interests of Europe, will secure to us the support of Europe. If it does not, what, then, is our position? Are we tamely to acquiesce in what we believe is a Treaty that will not carry out the objects we have in view, or to accept the position assigned to us by the hon. Member for Birmingham (Mr. Chamberlain), who told us that we had better leave the military Powers of Europe to look after the maintenance of the balance of power? But I know that if the hon. Member were to come forward, and say to the people of this country—"You are not a great military Power, and why should you concern yourselves with the maintenance of European order? There are great military Powers—Russia, Austria, and Germany—why don't you leave it to them to settle the question for you?"—I know what the reply would be. I can only say, if that is the doctrine of the Liberal Party, I hope, and I am sure, that it is not the doctrine of the Conservative Party. I do not believe we shall be left in this matter without Allies; but, for my part, I would rather we were left without Allies, than that we should submit to such an arrangement as that. I do not think it is the part of this country to become a mere signatory to arrangements which are to be made by other Powers. Sir, the question really resolves itself into this—For a considerable time past the system of Europe has rested upon certain Treaties, and especially upon the Treaty of Paris. That system is now shattered and almost destroyed. When I say almost destroyed, I hardly know whether I ought to say quite destroyed; because I apprehend there may be many points upon which, although the obligations of others to us are cancelled, we might be still liable—obligations which we ourselves have incurred. But, at all events, that Treaty is past. Are we to have substituted for it any other system, or are we to be left without any system at all? Now, there are two alternatives to consider—either to attempt to replace the arrangements which were made in 1856 by new arrangements, or to go on without any general arrangements at all. If we are to have, replacing the old arrangement, a new one, we demand—and we think we are bound to demand—that we should be parties to the discussion and settlement of that arrangement. And that we should not be excluded from having a voice in all parts of that arrangement, we must be judges for ourselves as to whether this or that stipulation affects us, and we must not be liable to be told—"This is a matter in which you have no concern; you must stand aside." If what we demand is denied us, and if it should be impossible to obtain a settlement of the character we desire, then we have no other alternative but to stand aside and make the best provision we can for our own safety and our own security. I trust we shall not be brought to that result. I trust that a great International arrangement may come to pass; but, if it does not come to pass, we cannot help taking precautions which are necessary for the maintenance of the interests of our Empire; and it is in view of that possibility, which I hope is not a probability, that this measure of precaution has been recommended to the Sovereign. I believe myself that we are taking a wise step in this matter. I believe we have not over-rated the difficulties which beset us in the matter of that Treaty. We have had remarks made by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), and by others, depreciating and criticizing the observations of Lord Salisbury upon portions of that Treaty, and we have had pleas brought forward on behalf of the framers of that Treaty to show that its arrangements were not open to all the remarks my noble Friend made. I must say, however ingenious some of those observations and explanations were, they did not carry conviction to the minds of those who have studied the Treaty and despatch. Take the clause, for instance, as to the nomination of the Prince of Bulgaria. My noble Friend described it as a clause by which Russia would be practically the elector of that Prince. I admit that on paper these clauses look well. But we see at the end of a clause a remark as to the influence of the Russian assessor or administrator who is to superintend the whole matter. When I read this, I could not help thinking of the case of some constituencies in this country, of which you see, if you look into the Parliamentary Register, that they contain a population of 5,000 or 6,000, and that the number of registered electors is 700 or 800. But when you go on, you find a little note at the bottom, which states that the Marquess of So-and-so has great influence in this borough. Postcripts are very often important, and the one at the bottom of this Article with regard to the selection of the Prince of Bulgaria cannot fail to strike the notice. Sir, I do not wish to go into any undue criticism of the Treaty of San Stefano. I do not wish to complain of Russia having proposed that Treaty. The noble Lord said—"Put yourself in the place of Russia." I endeavour in every controversy to put myself in the place of my opponent in the controversy. I am quite ready to admit, as far as Russia was concerned, there might be nothing unfair in her proposing that Treaty; but I say we are not bound to accept it because Russia proposes it—we are not bound to accept it because she may not be to blame for having acted as she has. I say that we are bound to look into these stipulations; that we are bound to criticize them; and that we shall fail in our duty if we refrain from so doing. Sir, I do not think it is necessary for me to detain the House longer. I thank the noble Lord for much that has fallen from him. I am satisfied that in much the noble Lord has said he has done good service; that he has done more for the cause he has at heart than he could do by supporting an Amendment such as that of the hon. Baronet the Member for Carlisle. I am satisfied that it is by firmness, by conciliatory language, but, at the same time, by unshrinking language, and by endeavouring as far as possible to present an united front, that we shall, at this moment, be best able to get through the difficulties of our position. I have endeavoured—I believe I may say all the Members of the Government who have taken part in these discussions have endeavoured—to abstain from saying anything that should be harsh, or that should prevent an amicable settlement. But I hope this will not be misunderstood—that it will not be supposed because we speak temperately that we do not feel strongly, and that we are not determined to act if necessary. We trust that no necessity may arise; but, if it should arise, depend upon it we shall know what our duty to our country is, and that we shall not be found wanting in its fulfilment.

Sir WILFRID LAWSON said, it was only by the indulgence of the House that he could say a few words before this matter was settled. But, perhaps, the House would allow him, after the appeal made to him by the noble Marquess on that side of the House, to say what the course was that he was about to adopt. He might be allowed to say that he was not surprised at the noble Lord asking him to withdraw his Amendment, because his practice was at accord with his precepts; and he (Sir Wilfrid Lawson) knew when an Amendment was proposed from the front Opposition bench, it was very often withdrawn. But the noble Lord said if they went into the Lobby, in a very small minority, it might be favourably construed by the War Party—whoever that Party might be. Well, that might easily be obviated by the noble Lord and his Friends supporting the Amendment, which would make the minority a good deal larger. On the other hand, he was bound to say that, as the Government said theirs was a measure of peace, the larger the majority they had, if that were so, the better. But, before he sat down, he must say that there were some of them who sat in that House who had considerations a little higher than Party. They had consciences, he believed. [*Murmurs.*] Hon. Members murmured at that; but all he could say was, that if he was not allowed to vote conscientiously in that House, he would rather not vote in it at all. Whatever might be said by those who had brought forward that Motion, they had it on the highest authority, none other than that of the late Foreign Secretary, who had said that we were not drifting, but rushing, into war. Therefore, he must say, that he would rather walk out of that House, like the noble Marquess, and never walk in again, than not give his vote upon that occasion against the humiliation and degradation of dragging the country into an unnecessary war. He should most certainly divide the House.

Question put.

The House *divided:*—Ayes 64; Noes 319: Majority 255.—(Div. List, No. 101.)

AYES.

Backhouse, E.
Barclay, A. C.
Barclay, J. W.
Barran, J.
Blake, T.
Bright, J. (Manchester)
Bright, rt. hon. J.
Brogden, A.
Burt, T.
Cameron, C.
Campbell, Sir G.
Clarke, J. C.
Courtney, L. H.
Cowan, J.
Cross, J. K.
Davies, R.
Delahunty, J.
Dilke, Sir C. W.
Dillwyn, L. L.
Fawcett, H.
Ferguson, R.
Fletcher, I.
Forster, Sir C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Gourley, E. T.
Gower, hon. E. F. L.
Harrison, C.
Harrison, J. F.
Holland, S.
Holms, J.
Hopwood, C. H.
Howard, E. S.
Hughes, W. B.

Leatham, E. A.
Lefevre, G. J. S.
Leith, J. F.
Lush, Dr.
M'Arthur, A.
M'Laren, D.
Maitland, J.
Milbank, F. A.
Morley, S.
Mundella, A. J.
O'Conor, D. M.
O'Conor Don, The
Pease, J. W.
Pennington, F.
Plimsoll, S.
Potter, T. B.
Ramsay, J.
Richard, H.
Russell, Lord A.
Samuelson, H.
Sheridan, H. B.
Sinclair, Sir J. G. T.
Smyth, P. J.
Taylor, P. A.
Trevelyan, G. O.
Waterlow, Sir S. H.
Whitwell, J.
Williams, W.
Wilson, C.
Young, A. W.

TELLERS.

Chamberlain, J.
Lawson, Sir W.

NOES.

Adderley, rt. hn. Sir C.
Agnew, R. V.
Alexander, Colonel
Allcroft, J. D.
Allsopp, C.
Anstruther, Sir W.
Arbuthnot, Lt.-Col. G.
Arkwright, A. P.
Arkwright, F.
Ashbury, J. L.
Assheton, R.
Astley, Sir J. D.
Bagge, Sir W.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barne, F. St. J. N.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Bateson, Sir T.
Beach, rt. hon. Sir M. H.
Beach, W. W. B.
Benett-Stanford, V. F.
Bentinck, rt. hon. G. C.
Bentinck, G. W. P.
Beresford, Lord C.
Beresford, G. De la P.

Beresford, Colonel M.
Birley, H.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, hon. R.
Bourne, Colonel
Bousfield, Colonel
Bowyer, Sir G.
Brassey, H. A.
Brassey, T.
Broadley, W. H. H.
Brooks, W. C.
Bruce, hon. T.
Bruen, H.
Brymer, W. E.
Bulwer, J. R.
Buxton, Sir R. J.
Callan, P.
Cameron, D.
Campbell, C.
Cartwright, F.
Cave, rt. hon. S.
Cave, T.
Cecil, Lord E. H. B. G.
Chaine, J.
Chaplin, H.
Charley, W. T.
Christie, W. L.

Churchill, Lord R.
Close, M. C.
Clowes, S. W.
Cobbold, T. C.
Cochrane, A.D.W.R.B.
Colebrooke, Sir T. E.
Coope, O. E.
Cordes, T.
Corry, hon. H. W. L.
Corry, J. P.
Cotes, C. C.
Cotton, W. J. R.
Cowen, J.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Cust, H. C.
Dalkeith, Earl of
Dalrymple, C.
Davenport, W. B.
Dease, E.
Deedes, W.
Denison, C. B.
Denison, W. E.
Dickson, Major A. G.
Digby, Col. hon. E.
Douglas, Sir G.
Duff, J.
Duff, R. W.
Dunbar, J.
Dyott, Colonel R.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elcho, Lord
Elliot, G. W.
Elphinstone, Sir J.D.H.
Emlyn, Viscount
Errington, G.
Estcourt, G. S.
Ewart, W.
Ewing, A. O.
Fellowes, E.
Finch, G. H.
Fitzmaurice, Lord E.
Foljambe, F. J. S.
Folkestone, Viscount
Forester, C. T. W.
Forsyth, W.
Foster, W. H.
Fremantle, hon. T. F.
Freshfield, C. K.
Galway, Viscount
Gardner, J. T. Agg-
Gardner, R. Richardson-
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Gilpin, Sir R. T.
Goddard, A. L.
Goldney, G.
Goldsmid, Sir F.
Gooch, Sir D.
Gordon, W.
Gorst, J. E.
Grantham, W.
Greenall, Sir G.
Greene, E.
Gregory, G. B.
Guinness, Sir A.
Gurney, rt. hon. R.
Hall, A. W.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hamond, C. F.
Hanbury, R. W.
Hankey, T.
Harcourt, E. W.
Hardcastle, E.
Hardy, A. E.
Hardy, rt. hon. G.
Hardy, S.
Harvey, Sir R. B.
Hay, rt. hn. Sir J. C. D.
Heath, R.
Herbert, H. A.
Herbert, hon. S.
Hermon, E.
Hervey, Lord F.
Hill, A. S.
Hinchingbrook, Visc.
Holford, J. P. G.
Holker, Sir J.
Holmesdale, Viscount
Holt, J. M.
Home, Captain
Hood, Captain hon. A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Isaac, S.
Jenkinson, Sir G. S.
Jervis, Colonel
Johnson, J. G.
Johnstone, Sir F.
Jolliffe, hon. S.
Kavanagh, A. MacM.
Kennard, Colonel
Kennaway, Sir J. H.
King-Harman, E. R.
Knight, F. W.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Lawrence, Sir T.
Learmonth, A.
Lee, Major V.
Legard, Sir C.
Legh, W. J.
Leighton, S.
Lennox, Lord H. G.
Leslie, Sir J.
Lewis, C. E.
Lewis, O.
Lindsay, Colonel R. L.
Lloyd, S.
Lloyd, T. E.
Lopes, Sir M.
Lorne, Marquess of
Lowther, hon. W.
Macartney, J. W. E.
Macduff, Viscount
Mac Iver, D.
Mackintosh, C. F.
M'Garel-Hogg, Sir J.
M'Kenna, Sir J. N.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Mandeville, Viscount
Manners, rt. hn. Lord J.
March, Earl of
Marten, A. G.
Master, T. W. C.
Merewether, C. G.
Mills, A.
Mills, Sir C. H.
Montagu, rt. hn. Lord R.
Montgomerie, R.
Montgomery, Sir G. G.
Moray, Col. H. D.
Morgan, hon. F.
Mowbray, rt. hon. J. R.
Mulholland, J.
Muncaster, Lord
Mure, Colonel
Naghten, Lt.-Colonel
Newport, Viscount
Noel, rt, hon. G. J.
North, Colonel
Northcote, rt. hon. Sir S. H.
O'Beirne, Major
O'Byrne, W. R.
O'Donnell, F. H.
O'Neill, hon. E.
Onslow, D.
Parker, Lt.-Col. W.
Peek, Sir H.
Peel, A. W.
Pell, A.
Pemberton, E. L.
Pennant, hon. G.
Peploe, Major
Percy, Earl
Pim, Captain B.
Plunket, hon. D. R.
Plunkett, hon. R.
Polhill-Turner, Capt.
Powell, W.
Praed, C. T.
Praed, H. B.
Puleston, J. H.
Raikes, H. C.
Ralli, P.
Read, C. S.
Rendlesham, Lord
Repton, G. W.
Ritchie, C. T.
Rodwell, B. B. H.
Rothschild, Sir N.M. de
Round, J.
Russell, Sir C.
Ryder, G. R.
Sackville, S. G. S.
Salt, T.
Samuda, J. D'A.
Sanderson, T. K.
Sandford, G. M. W.
Sandon, Viscount
Sclater-Booth, rt.hn.G.
Scott, Lord H.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Shirley, S. E.
Shute, General
Sidebottom, T. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Smith, rt. hn. W. H.
Smollett, P. B.
Somerset, Lord H. R. C.
Spinks, Mr. Serjeant
Stafford, Marquess of
Stanhope, hon. E.
Stanhope. W. T. W. S.
Stanley, rt. hn. Col. F.
Starkey, L. R.
Steere, L.
Stewart, M. J.
Storer, G.
Sykes, C.
Talbot, J. G.
Tavistock, Marquess of
Taylor, rt. hon. Col.
Tennant, R.
Thornhill, T.
Thwaites, D.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Tremayne, J.
Trevor, Lord A. E. Hill-
Turnor, E.
Verner, E. W.
Wait, W. K.
Walker, O. O.
Wallace, Sir R.
Walpole, rt. hon. S.
Walsh, hon. A.
Warburton, P. E.
Ward, M. F.
Watkin, Sir E. W.
Watson, rt. hon. W.
Wellesley, Colonel
Wells, E.
Wethered, T. O.
Wheelhouse, W. S. J.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wilson, W.
Wolff, Sir H. D.
Woodd, B. T.
Wroughton, P.
Wyndham, hon. P.
Wynn, C. W. W.
Yarmouth, Earl of
Yeaman, J.
Yorke, J. R.

TELLERS.

Dyke, Sir W. H.
Winn, R.

SIR GEORGE CAMPBELL said, he intended to withdraw the Amendment which stood in his name, but before doing so, he desired to say a word. On Monday night, after the fair and moderate speech of the Chancellor of the Exchequer—and the right hon. Gentleman always was fair and moderate where circumstances admitted—he said that although the hon. Member for Carlisle had his sympathy, he would not have his vote. But he then spoke in ignorance of what transpired in "another place," on Monday evening. After he became acquainted with the statement made in "another place," he felt it his duty to vote with the hon. Member for Carlisle, as a kind of protest against the warlike, and what he must call the aggressive, tone of Her Majesty's Government. Having voted in favour of the more direct Motion of the hon. Member for Carlisle, he did not intend to press what he might call the more moderate Amendment which he had on the Paper. But, with regard to the latter part of his Motion, that relating to Bessarabia, he wished to say that he adhered to the view which it expressed. The reply of Prince Gortchakoff to Lord Salisbury, which had been published that evening, was, in so far as he was enabled to gather its contents, satisfactory in all parts except as regarded the provisions, or want of provision, for satisfying the indemnity due to Russia, and, as regarded Bessarabia, for the retrocession of which the Russians had not ceased in their demand. Therefore, before he withdrew his Motion, he must say that he thought it was the duty of Her Majesty's Government — not alone as the Representative of England, but as a member of the European body, to resist in every way that might be possible the forcible retrocession of Bessarabia to Russia contrary to the will of the Roumanian people.

Amendment, by leave, *withdrawn.*

Main Question put.

Resolved, That an humble Address be presented to Her Majesty, thanking Her Majesty for Her Most Gracious Message communicating to this House Her Majesty's intention to cause the Reserve Force, and the Militia Reserve Force, or such part thereof as Her Majesty should think necessary, to be forthwith called out for permanent service.

To be presented by Privy Councillors.

PUBLIC WORKS LOANS, EPPING FOREST RURAL SANITARY AUTHORITY, AND WIGAN PARISH CHURCH [COMPOSITION AND CANCELLATION OF DEBTS].

Considered in Committee.

(In the Committee.)

(1.) *Resolved,* That it is expedient to authorise the Commissioners of Her Majesty's Treasury to compound the principal of, and arrears of interest on, the Debt due to the Consolidated Fund in respect of the special Drainage District of Epping, in the county of Essex.

(2.) *Resolved,* That it is expedient to authorise the Commissioners of Her Majesty Treasury to cancel the principal of, and arrears of interest on, the Debt due to the Consolidated Fund in respect of the Parish Church of Wigan, in the county of Lancaster.

Resolutions to be reported *To-morrow.*

House adjourned at a quarter after One o'clock.

HOUSE OF COMMONS,

Wednesday, 10*th April,* 1878.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Idiots, &c. (Ireland) * [149].
Second Reading—Employers' Liability for Injuries [11], *debate adjourned;* Local Government Provisional Orders (Abingdon, &c.) * [142]; Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation * [136].
Withdrawn—Hospitals, &c. (Scotland) [21].

ORDERS OF THE DAY.

EMPLOYERS' LIABILITY FOR INJURIES BILL—[BILL 11.]

(*Mr. Macdonald, Dr. Cameron, Mr. Meldon, Mr. Bass.*)

SECOND READING.

Order for Second Reading read.

MR. MACDONALD, in moving that the Bill be now read a second time, said, its main object was to put upon employers the liability to compensate workmen for injuries sustained in the course of their employment, even though those injuries resulted from the *laches* of their fellow-workmen. It would be in the recollection of the House that a Bill similar to the present was brought before the House some two or three years ago. It was referred to a Select Committee, which reported adversely to the principle embodied in it. He had nothing to do with the framing of that Report, and did not hold himself responsible for it—in fact, the constitution of the Committee was such that it was impossible to expect that its Report could be anything else than it was, or in any way favourable to the principle contended for in the Bill. The Government had not brought in a Bill to give effect to that Report, and, knowing that the question was one of great importance, and that a large class in this country were anxious for a settlement of the question, and that the Report of the Committee offered no foundation for a settlement, he had determined, after consultation with other hon. Members, to re-introduce the Bill, and ask a decision upon it. At present no one seemed to know what the law precisely was. He referred to several legal cases that had furnished rather contrary decisions. He referred in particular to the case of Wilson *v.* Merry & Cunninghame, as it was the foundation of the present general reading of the law. A man named Nish was, to all intents and purposes, the manager of the Haughead Colliery, having power to engage and dismiss men, and to conduct its entire business. Nish, as the facts disclosed in the case before the Superior Court in Scotland brought out, with his own hand constructed a scaffold under which fire damp accumulated in the pit. He took a young man, an entire stranger to the colliery, down the pit to do some work. He had only worked a few minutes when the gas drew upon his lamp, the scaffold was blown-up, and the young man was killed. It was pleaded that Nish was a fellow-workman with the young man who was killed; and, though it was proved that the scaffold was constructed before the young man was employed in the colliery at all, it was held, on appeal to the House of Lords, that a person called Robson, general manager to Merry & Cunninghame, was the manager of the mine, and not Nish, who was decided to be only a fellow-workman. He would give the House an idea of the manager's knowledge of the mine. He (Mr. Macdonald) had taken up the case for the poor widow, had spent a large sum of money upon it, and had had the present Lord Gordon as her counsel. The man designated as the manager was asked if he knew there was coal in the mine, and he answered evasively; but, when further interrogated, he admitted that he did not know whether there was coal in the pit at all. There was a case recently in Scotland, and another in England, where managers responsible for accidents had been held to be in common employment with the persons injured. The law as it at present stood was, in fact, in a state of almost absolute chaos, as was shown by the conflicting character of the decisions given under it; but its general scope had the effect of enabling employers to avoid responsibility for injuries if the person injured and the person by whose default the injury was inflicted were at the time of the accident in "common employment." Lord Cairns, in the case against Merry and Cunninghame, had, after giving his decision, added—

> "At the same time, I am not surprised that the Lord Justices who tried the case should have been embarrassed by the rather conflicting state of the authorities and decisions on a breach of the law which has only lately approached maturity."

During 25 years they had been going from one principle to another. The decision of yesterday was not the decision of to-day, nor would the decision of to-day be the decision of to-morrow. Judge-made law was dangerous law, and they ought not to wait until the law had matured in the minds of Judges. There was need for an immediate settlement of the question, that it might be put on a satisfactory basis, and that the public might know what it really was. He passed to a consideration of the Report of the Committee on the subject. Clause 9 of the Report said that there could be no doubt that the effect of abolishing the defence of "common employment" would cause a serious disturbance in the industrial arrangements of the country; and that to put upon employers the whole of the liability would be to discourage the investment of capital in industrial undertakings. The Committee added, that they could not better express their opinion than in the language of a distinguished American Judge—

> "When several persons are employed in the conduct of one common enterprize, and the safety of each depends much upon the care and skill with which others shall perform their appropriate duties, each as an observer of the conduct of the others, can give notice of any misconduct, incapacity, or neglect of duty, and can leave the service, if the common employer will not take such precautions, and employ such means, as the safety of the whole party may require. By these means, the safety of the whole is better secured than by referring to the common employer for an indemnity for the negligence of anyone."

He was not going to use strong words as

to the views of the Committee; but he thought the adoption of such a doctrine was illusory, and that this description of the mode of conducting the principal industries of the country was not true in fact. It showed how great was the want of knowledge of the ordinary business of life amongst legal men, when they thus described any of the undertakings that might be called dangerous in their character. In answer to it, he would ask how one of a number of men wheeling barrows along a plank could guard against the man behind him, whom he could not see, pushing him from the plank, and, possibly, causing him fatal injury; how a labourer working for a slater could guard against the slater letting a slate fall upon him from the roof of a house in process of building; or, how a miner who was drawn over a pulley and injured or killed, could control the action of the engine-tenter who was stationed in a house removed some distance from the pit's mouth? In mines, not one of the 500 men who might be employed had control over the conduct of the others, even though that conduct involved his own personal safety. They could not see their fellow-workmen, yet a Tory Lord Chancellor had insulted the understanding of the working men of the country by telling them they could see and control their fellow-workmen. It was monstrous to call such law on facts. Not one of the men could give notice of neglect of duty on the part of others. The result was, that unskilled men employed by the owner for his own benefit, might, and often did, light a mine and destroy the miners. He believed this doctrine of common employment was a fertile source of accidents. He would, no doubt, be told that the greater portion of these accidents were caused by the workmen's recklessness. He denied it, and affirmed that if they took the Inspectors' Reports for the last 25 years they would find that was not the case. But if there was recklessness on railways and in mines, the directors and managers were to blame. They had power in their byelaws to check the exhibition of recklessness, and to punish workmen who were guilty of it. As far as the mines were concerned, much of this salutary legislation was due to the hon. Baronet the Member for South Durham (Sir George Elliot), who had done much both in and out of Parliament to promote the welfare of persons engaged in mining operations. It was puerile and misleading to talk about these accidents being the result of recklessness on the part of the men. Colonel Henderson would be dismissed if he said that the police were too demoralized to perform their duties. What would be thought of the Commander-in-Chief if he said the Army would not fight? Let them not hear any more, then, of this argument. If the law was changed in the direction he advocated, they would hear no more about recklessness, and very little about injuries on railways, or in any of the great industries of the country. He was told that men who followed dangerous employments had correspondingly high wages. The miners had been said by the hon. and learned Attorney General to be indulging in champagne. He made the House merry on the last debate by that statement. Miners in Somersetshire were now working for 2*s*. a-day, in South Wales for 3*s*. 6*d*. a-day for two days of the week, in North Wales for 3*s*. 6*d*. and 4*s*. for three or four days a-week, in Scotland for 2*s*. 6*d*. and 3*s*. 6*d*. a-day for two days a-week. How much champagne would they get out of these wages? It was the same with the wages of the railway servants. All agreed that the most dangerous employment was that of the shunter, and yet he had the longest hours and was the worst paid. Yet they were told, forsooth, that the wages covered the risk. They were also told if this Bill became law, capitalists would take their money elsewhere. Where would they go to? In France, Germany, Italy, and most of the United States, the law was more stringent against employers than here. The provisions of his Bill could be easily explained, and he hoped they would be accepted by the House. The Preamble simply stated that it was expedient to amend the law relating to compensation for injuries. The four clauses of which the Bill consisted proposed to enact—that, where any action was brought for recovery of damages in respect of bodily injury or loss of life, it should not be any defence that the person by whose negligence the loss of life might be occasioned was employed in a common employment with the person injured or killed; that the time within which proceedings must be taken should be limited; that the jurisdiction should be vested in the County Court; and that there should be certain stipulations regarding injuries caused to minors. The industrial operations of this country were, he thought, carried on with too much freedom. It had been said that if this Bill were passed into law, the result would be an enormous loss to the mine-owners, because they would be made responsible for the loss of life arising from explosions which they were powerless to prevent. He denied that the Bill would have any such operation. He did not propose to interfere with the existing law as regarded accidents which the employer was powerless to prevent, or such as arose from the act of God, but only to deal with the demon of neglect; and, while the employer was armed with ample powers for the punishment of recklessness, he could see no hardship in making him liable for the consequences when those powers were not in force. If the Bill were passed, instead of 10,000 lives being destroyed every year in this country by preventible accidents, not half of that number would perish. He proposed the second reading of the Bill in the name of suffering humanity.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Macdonald.*)

Mr. TENNANT moved, as an Amendment—

> "That any alteration in the Law of Liability of Employers for Injuries to those in their employ should be founded on the Report of the Select Committee of last Session on the subject; and that, considering the importance of the question, affecting, as it does, all classes of the community, any measures on the subject should be introduced by Government."

He admitted that the law on the question was in an unsatisfactory state, and that many and grave defects existed in connection with it; but he thought the Bill went too far, and would cause greater evils than those it proposed to remedy. The question had been the subject of investigation both by a Royal Commission and by a Select Committee of that House, before which a large amount of evidence was given by witnesses practically acquainted with the subject. Their Report, which recommended certain important amendments in the law as it at present existed, had been fully considered, and he confessed he was surprised that the Government had not taken any action in the matter, but had left the initiative to the hon. Member for Stafford (Mr. Macdonald). He was equally surprised that the hon. Member had entirely ignored the recommendations of the Select Committee, of which he had himself been an active Member, and that he had introduced exactly the same Bill as he had done on a former occasion. It was a mistake to suppose that the hardships of the present law were one-sided and only affected the employers; for it made an employer liable to a third person, if that person received any injury from one of his servants, although that injury might be inflicted without his knowledge, and even in defiance of his orders and regulations. Still, it was but fair that, in any enterprize, he who obtained the lion's share of the profits should have the lion's share of the responsibility. No doubt, much suffering and injustice had been inflicted in many cases, entailing cruel hardships upon those concerned, under the existing law; but, somehow or other, in the experience of things, as a general rule, the families of those who had fallen victims to accidents had been compensated by the owners, and had received great assistance from societies and from the public at large. If this Bill passed into law, that compensation and assistance would be in a great measure withdrawn. He did not wish compensation to which there was a right to be only conceded as charity; but change in the law would destroy all active benevolence. It would be hard to make an employer responsible for accidents which he could in no way prevent; but working men had power to withdraw from any employment. Where there was risk they knew of it; and, if they remained in the employment, they voluntarily faced it for the profit of the employment. Still, he admitted that was no reason why the workman should be denied a legal claim to compensation where the circumstances of the case showed he was morally entitled to it. While he admitted the distinction between persons in common employment and third persons, he thought the distinction between a manager and a workman in common employment with others should not be confounded. He was, therefore, of opinion, that the law ought to be altered so as to make it perfectly clear that a workman had a full right of action against an employer, whether that employer superintended the work himself or delegated the supervision of it to an agent or manager, with the same authority as he himself possessed of issuing orders to the men engaged in the execution of it. That was, indeed, one of the recommendations of the Select Committee. But the Bill as it now stood would make the owner responsible for wilful and reckless acts on the part of any of his workmen. It would make him responsible for a great disaster, even though he had done everything that lay in his power to prevent it. There was nothing in the Bill to prevent a contract between employer and employed from standing in the same relation to each other as they did before the Act was passed. There was nothing to prevent a coal-owner from making an arrangement with a contractor to work the mine and take all the responsibility, and the contractor might be a man of little means. If the Bill went before a Select Committee, not a single clause would remain. He, therefore, hoped the hon. Member for Stafford would be content with the discussion of the Bill, and that he would withdraw it—for its provisions were open to evasion, inasmuch as it would be possible, if the measure passed in its present form, for the parties interested in it to contract themselves out of the operations of its provisions—if Her Majesty's Government gave him their assurance, which he (Mr. Tennant), appealed to them to give, that they would themselves introduce a measure next year founded on the recommendations of the Select Committee—a measure by which the workpeople might obtain the security and compensation which they had a right to demand; but which, at the same time, would not place intolerable burdens on the employer. That was the best chance of any legislation this Session, and in that case it would be competent for the hon. Member to introduce such Amendments as he thought proper. The hon. Member knew the difficulties of passing a Bill only promoted by a private Member, and more especially a Bill that affected so largely the industries of the country, and that would be sure to be opposed at every stage. He begged to move the Amendment which stood on the Paper in his name.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "any alteration in the Law of Liability of Employers for Injuries to those in their employ should be founded on the Report of the Select Committee of last Session on the subject; and that, considering the importance of the question, affecting, as it does, all classes of the community, any measure on the subject should be introduced by Government,"—(*Mr. Tennant,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. T. BRASSEY, being closely connected with railway undertakings, the servants of which were great sufferers through the present state of the law, wished to say that the feeling of the great mass of those who were interested in railways, in common with himself, was in favour of removing the grievances which their servants now laboured under. It was shown by the evidence which was laid before the Royal Commission appointed to inquire into Railway Accidents, to whose Report he would confine himself, that in the four years before that Commission sat, 2,960 men employed on railways were killed, and 9,002 were severely injured —a yearly average of 740 deaths, and 2,250 severe casualties. This large loss of life and number of injuries called for the attention of the House. The remedy proposed by the Royal Commission was that suggested by Lord Campbell's Act; which, they very truly said in their Report, had been most effectual in promoting the security of the public travelling by railway, but which was a dead letter so far as railway servants were concerned. In the case of Railway Companies, the master was represented by the Corporation, who were so remote from their servants, that it was almost impossible to prove their complicity with the wrongs from which those they employed might suffer By a legal fiction, the persons to whom the powers of the Railway Companies were delegated were deemed to be fellow-servants with their subordinates, and the Companies were held not to be responsible for the acts of their managers which led to the injury of the ordinary servants. In his opinion, there could be no doubt that too wide a development had been given to the doctrine of common employment. The law never contemplated the vast undertakings which now existed, and in the management of which the proprietors took no personal part. By declaring that managers were fellow-servants of the workmen, the law had offered a premium on the delegation of authority from the master to the servant. He did not say that the Bill before the House offered the best possible remedy for the present condition of the law, and it certainly could not be passed in the present Session of Parliament. If it should be read a second time, it would be valuable as a declaration of the opinion of the House that the present state of the law was defective, and should be amended. The Royal Commission strongly urged the Legislature to remedy the present state of the law, stating that a Railway Company ought not by reason of its acting altogether by deputy to avoid liabilities which the existing law intended to impose upon a master towards his servant; and they recommended that—

> "Where a railway servant could establish against any official of a Company, empowered to direct the management, or control the matter complained of, such proof of negligence as would make him liable if he were himself the master, his negligence should be deemed to be negligence on the part of the Company."

He earnestly hoped that that principle would be embodied in the Bill which he hoped to see introduced by the Government. For a more mature proposal on the subject, they must look to the Government; and the fact that a Royal Commission and a Select Committee had been appointed to investigate the question and reported upon it, showed, he thought, that the Government acknowledged their responsibilities in the matter. The right hon. Gentleman the Home Secretary had stated to a deputation, which he (Mr. Brassey) introduced, that the subject would shortly receive the attention of the Government; and he accepted that assurance as a guarantee, for which he was very grateful, that this important question would be taken up in earnest by the Government in the next Session of Parliament.

Mr. GREGORY said, it was not through want of sympathy with those who suffered under the present state of the law that he had put on the Notice Paper an Amendment to the effect that the Bill be read a second time that day six months, but purely with reference to the merits of the Bill. The object of the Bill was to get rid of the principle of "common employment," and to extend to workmen the general law as regarded employers and strangers with reference to injuries arising from negligence. But under the general law, as it at present existed, by which a master was liable for the acts of his servant, gross injustice had been done. The decisions were not of a uniform character. There was the case of a gentleman's servant, who drove through the City and ran over a person who was going by. The master was held liable, although it was shown that the servant had no business in the City at all, and was not acting under the master's orders. In another case, an accident happened while a servant was driving in London. The master was held not liable, on the ground that the servant was driving after certain hours, at which, under his master's instructions, he ought not to be driving. No witness except one supported the law before the Committee who considered this subject, and that gentleman went the length of saying that it was better that even an innocent person should be made to pay compensation than that there should be no compensation at all. That was a principle which he (Mr. Gregory) thought the House would not be inclined to sanction. He was of opinion that the injustice which had been done in some cases was attributable to a misapplication or a too great extension of the well-known liability of a principal for the acts of his agent. That liability might be well adapted to cases of civil contract; but, when they came to a case of criminal or *quasi*-criminal liability, the question became a very different one. He thought the House ought to deal with the question, and to extend its consideration to the general point of the liability of an employer for the acts of his servants, so as to avoid the extreme length to which this had been carried on the one hand, and the distinction which had been drawn on the other between the case of injury to a stranger, and the liability for such acts in the case of injury to workmen or others in common employment. Invidious legislation of that character ought to be got rid of, and the law be put on a reasonable ground. It was quite right that a master should be liable for the acts of his agents, although there might be considerable difficulty in defining who those agents were. He hoped the Attorney General would go beyond the recommendations of the Select Committee, and legislate on larger and broader grounds. No doubt, the Report was very valuable; but he was desirous that the whole law on the liability of employers should be put on a proper footing.

SIR CHARLES FORSTER, notwithstanding what had fallen from the hon. Member for Leeds (Mr. Tennant) as to the inutility of the present measure, thought it was an important one, and that it would remedy at least one defect in the present law by preventing the plea of "common employment" being put forward as a defence to an action for compensation for injuries. It would also effect a considerable diminution of accidents. The Mines Regulation Act, of which this Bill was practically an extension, had had such a result; for under its provisions accidents in mines had been reduced from 34 cases in 1872 to only three cases in 1876. In the interest both of employers and workmen, it was desirable to redress the grievance which existed. It was not reasonable to ask the hon. Member for Stafford (Mr. Macdonald) to withdraw his Bill, considering that it had now been twice before the House, and that a great number of Petitions from workpeople had been presented in its favour. He suggested that the House should affirm the principle of the measure, and that it should then be referred to a Select Committee to see what modifications it required.

MR. GORST, in supporting the Bill, said, he thought the law of the liability of employers to employed required the consideration of Parliament, for it was in a most unsatisfactory state. There was no doubt it was far too extensive, and that if it were not for the manner in which the law was administered by juries, its reform would have been called for and effected long ago. Everyone of them who employed a coachman might almost be totally ruined. Suppose the coachman, or a greengrocer, drove over his hon. and learned Friend the Attorney General, the amount of damage that would be sustained would be so great as almost to crush even a wealthy man. The state of the law as to the liability of employers being in this way indefensible, there was also an unreasonable and improper exception to an unreasonable and improper law. He confessed he liked the principle of the Bill, which was simple and intelligible. He agreed with the hon. Member for Stafford (Mr. Macdonald) that the distinction between negligence that injured a servant and negligence that injured a third person should be removed. If an employer was liable for the negligence of his servants to a third person, he should also be liable for the negligence of his servants to one of his own employed. All that was contended for by the Bill was that the invidious distinction should be done away with, and that employed and third persons should be put on the same footing before the law. Everybody who had addressed the House had admitted the necessity for reform in the direction of the Bill. The question was, then, one as to the best course to adopt in order to procure the necessary reform. The Bill could not possibly become law this Session, and their only hope was in the Government taking action. They waited with anxiety to hear what his hon. and learned Friend the Attorney General would say on the subject. He thought the Government would be extremely unwise if they took the Report of the Select Committee as a representation of the opinion of the House and the country. If the Government would promise to bring in a Bill, and carry it through its stages, he did not think it would be necessary to take a division on the present Bill.

DR. CAMERON, in supporting the Bill, said, that its advocates objected to an exception being made in the general law against a particular class. The greatest danger alleged against the Bill was that it would make an employer liable for an act even of disobedience on the part of a workman. But it was forgotten that an employer was so liable where the person injured was not his workman. It had been asked why the Bill was not framed on the lines of the Report of the Select Committee; but the Report of the Select Committee only embodied a compromise in support of which no principle could be adduced; whereas the friends of the Bill contended for the abolition of exceptional legislation against a certain class, and that the invidious distinction between injury to a stranger and injury to a workman should be removed. The ordinary law of the land and of every country of Europe was that an employer was liable for injuries sustained by any of the general public by the negligence of anyone in his employment. That was a law necessary for the public welfare. Our Courts of Law had held that any attempt on the part of Steam-Packet Companies or of Railway Companies to contract themselves out of their liability was unreasonable. The only exception made to the general law in relation to the liability of employers was in regard to the case of fellow-workmen. It was an entirely modern exception, which legal men had admitted was not laid down before 1837. In Scotland the matter had stood on a different basis till much later. There they were able to trace the genesis of the law, and there they had an example of what would be the effect of this law if passed. Up to about 20 years ago the law made no exception in cases of workmen injured by the negligence of fellow-workmen. The Report of the Select Committee admitted this. In 1858, however, two appeals came before the House of Lords which upset that law. But while it was then admitted that a workman had no claim for injury caused by a fellow-workman, an exception was made in the case of foremen. That exception was disallowed in a subsequent case, and last year a contractor in another case was held to be a fellow-workman. While the general law had admitted the liability of an employer, these exceptions in the case of workmen had in a hap-hazard manner been allowed to arise. He drew attention to the unfairness of the present law as between employers. A small employer, who was his own manager, was responsible for injuries to a workman, though that master paid more attention to his business and its details than a large employer, from whom compensation could only be got if it was proved that he was personally negligent. From public Companies, it was held that no compensation could be got by workmen at all. It was said that the Bill would entail great hardship upon the employer, and that the owner of a powder mill, for instance, would be liable to very heavy compensation; but the owner of such a mill was already liable to a terrible extent to the public. He (Dr. Cameron) had no objection to an amendment of the general law. What he complained of was, the exemption of workmen from compensation. He could not admit that the extent of the liability could stand against the principle of liability. He only urged liability in the case of negligence, and that whatever the law in the case of the general public, the samé should be the law as regarded workmen, and for compensation in a case where there had been no contributory neglect on the part of the injured workman. As to the general policy of the charge, he quoted the opinion of Lord Chief Justice Cockburn in favour of the law that used to obtain in Scotland on this subject, and he also referred to the opinion of Lord Justice Brett, who had spoken in the strongest manner in favour of the principle laid down in the Bill. They were now told that if this measure were passed it would cause a great disturbance of the relations of capital and labour. This was the language of mere theory and not of experience. The principle of the law in Scotland up to 1852 was the same as that of this Bill. If the change now proposed would disturb trade, the converse must be true. But it had not been proved that by granting the immunities to Scotch capitalists wages had been increased, or that the amount of money invested in these industries was now greater because of them. They were told that such a change in the law would drive industries to other countries, but this country was the only one in Europe where this exception against workmen existed. In Germany and France the plea of a common employment was not allowed to bar the workman's claim to compensation, and not very long ago the Imperial German Parliament passed an Act rendering it impossible for the proprietor of a mine to contract himself out of his liability for injuries sustained by persons in his employment at the hands of their fellow-workmen. The common law of the country protected the ordinary workman,. and this Bill struck at exceptional law which had arisen since. He urged that the Bill should be read a second time, and that it should then have engrafted upon it such clauses as the Government desired for the amendment of the general law with regard to employers' liability. If the law were so amended that in cases where servants acted in direct contravention of orders, and thus caused accidents to any person, the employer should not be held responsible, no hardship would occur.

MR. HARDCASTLE thought that cause had been shown for some alteration in the present law; but he held that some of the arguments urged in favour of it were founded on a false assumption. There was, he contended, a very material distinction in principle between the liability of employers for accidents to the general public and their liability for accidents to their servants. For instance, when a builder built a house, he erected a hoarding and caused a certain amount of obstruction and public inconvenience in the street. If, during his operations, one of his men, in ascending a ladder, let a brick fall on the head of a fellow-workman, under the existing law, that fellow-workman, being in a common employment, would have no claim against the employer because he was engaged for his own profit, as well as his master's, and must submit to the risk incident to his calling. But if a brick fell outside the hoarding and injured a foot-passenger, the foot-passenger would have a claim for compensation, because he had no share in the profit, and it would be unfair that the public should have to submit, not only to the inconvenience arising from the builder's operations, but also to an amount of danger from the acts of persons engaged for their own profit. Working men, he believed, were under a delusion as to the advantage that would be secured to them by Bills like the present. There was more than merely theoretical evidence to show that, in consequence of legislation of that kind, wages were reduced. As to the effect of the Mines Regulation Act, Lord Aberdare, in an address given the year before last at Bristol, stated that, after a very close and careful investigation, he found that, whereas the actual wages paid were only 7½ per cent more than were paid in 1869, the cost of producing the coal was 42½ per cent more, owing to various regulations and interferences with the ordinary course of labour. Now, it was quite possible, that if those regulations had not been so expensive—thus adding 35 per cent to the cost of raising the coal—wages would have risen, not 7½ per cent only, but 15 or 20 per cent, and yet the masters might have suffered no damage. Thirty-five per cent on the cost of raising the coal was equal to 15*d.* per ton, and, as there were 130,000,000 tons raised in this country, the cost of the Mines Regulation Act was something like £9,000,000 sterling per annum. It behoved them to be careful how they pushed their legislation to an extent that would materially affect the comforts of the working classes and reduce their wages. He believed that a large proportion of the working men would prefer to take, as all must do, their own risks in life rather than accept the reduced wages which Bills of this kind would probably bring with them. Again, take the case of domestic service. If one maid-servant in a house left a coal-scuttle on the stairs, and another maid-servant stumbled over it and broke her leg, in ordinary circumstances kindness would be shown by the employer to the sufferer; but, if an action-at-law could be brought against him, because, perhaps, some needy attorney saw a chance of making something out of the case, the effect would probably be that the employer would try to do with one maid-servant instead of two, and thus the demand for domestic servants would decrease. Beyond that, there would be no end to claims and actions for compensation for damages. He did not say that the present law was quite satisfactory; in fact, it was defective in many instances. If an accident happened to a railway train through the negligence of the driver, and the guard was killed, the principle of a common employment applied; but if a ticket-clerk travelling in the train met with an injury, it appeared rather hard that he should be prevented from maintaining an action against the Company. Again, where authority was delegated by masters to managers, superintendents, and foremen, those persons who received such delegated authority ought to be regarded as representatives and agents, and in such cases the master ought to be liable. But if protection were carried too far, it would diminish the remuneration of workmen, and be injurious, instead of beneficial, to them.

MR. SHAW LEFEVRE, as a Member of the Select Committee who had sat on the question of the liability of employers, said, he could not agree with the hon. and learned Member for Chatham (Mr. Gorst) and other speakers in the debate, in denouncing the principle of the responsibility of principals for the acts of their agents. The effect of that general law of responsibility was most useful in inducing employers to be more careful in the selection of their principal servants. But, more than that, the principle was almost universally recognized and embodied in the law of every country in Europe, and it would be impossible to abrogate it. The question arose, whether there should be an exception in the case of workmen. The exception arose from the idea that working men in common employment had a certain degree of control over each other, and could take measures for their own personal safety. But that doctrine, of late years, had been carried too far; for the Courts of Law had extended the doctrine as to common employment so as to bring within the same rule of law not only workmen engaged in the same employment, but all intermediaries acting between employers and their workmen. Again, it had been held that two servants, though they might be engaged in different operations, and in two distinct departments of work, came within the rule of law respecting common employment. He thought that injustice should be remedied, and supported the Bill in so far as it dealt with it. He would refer to the Scotch law on this subject, quoting a legal judgment to show that the law of Scotland was at one time, not very long ago, very different from that laid down in England on these two points. Though he could not go the full length of the hon. Member for Stafford (Mr. Macdonald)—who, in his idea, had gone too far in the principal provisions of the Bill—he thought what had been the law of Scotland till the House of Lords overturned it should be adopted for both countries. As to the proposal of the hon. Member for Leeds (Mr. Tennant), to relegate the matter back on the Report of the Select Committee of last year—while agreeing that that Report was extremely unsatisfactory, he thought the proposal to reopen the inquiry was one which could not be entertained. Nor did he fall in with the other suggestion thrown out by the hon. and learned Member for Chatham as a feeler, he supposed, for the Attorney General, that we should wait for the Government to bring in a Bill—no matter of what kind—on the subject. Two years ago the Home Secretary had admitted that the law was unjust, and, at his instance, a Select Committee had been appointed, and two Members of the Government had been placed on the Committee—the Attorneys General for England and Ireland—but neither of those Gentlemen gave any assistance to the Committee; the Attorney General for England had attended only four times, and had not been present when the Committee considered their Report. Consequently, the question had not advanced by the assistance of the Government; and, on the whole, although he thought that the Bill of the Member for Stafford went too far, he was of opinion that the wisest course would be to have the Bill read a second time, with a view to its being considered and modified in Committee.

MR. SERJEANT SIMON said, that the hon. Member for Stafford (Mr. Macdonald) could not have contemplated the extent of the operation of the Bill if it became law. It would be utterly intolerable if the principle of liability for servants were introduced into domestic life. If that were done, a man would be in a state of perpetual liability for the neglect of his domestics, and would minimize the evil by endeavouring to keep as few as possible. But, with the exception of that point, he agreed with the hon. Member, and should support the Bill, believing it to be capable of improvement in Committee. At present, the law seemed to be utterly unreasonable and indefensible in its operation against humble persons who sustained injury in the course of their avocations, and were debarred from obtaining compensation by reason either of their being fellow-servants, or of being in the common employment of the same principals with the person or persons who were the immediate cause of the injury. The doctrine of common employment had been pushed to an unreasonable extent. He would mention one or two cases. In one case, an engine-driver had driven an engine into a workshop and killed a carpenter who was at work there. In another, a clerk in the service of a railway had been sent on a business errand for the Company on their line. A collision took place. The injured passengers were able to recover compensation, but the railway clerk was not, because he was in a common employment—that was to say, in a common employment with the engine-driver whose negligence had occasioned the collision. Such a state of the law was a palpable injustice and an absurdity, and he would amend it in these particulars; so that all persons in authority representing employers, and having the care and direction of persons carrying on works, should be held to stand in the place of their masters, and that the latter should be held responsible for their acts. Employers, no doubt, were kind enough to persons injured in their service; but that was no apology for the present state of the law. He would support the second reading of the Bill, in order that a change, such as he had suggested, might be made.

MR. BURT pointed out that no speaker had defended the law as it stood. The general law had the merit of antiquity, if there was any value in that; but the exception was quite modern, and was confined to this country and some parts of America. No such exception existed in Scotland till 1856, and that exception was established in spite of the protest of the most eminent Scotch Judges. However, he would leave the legal aspect of the question to lawyers, and deal with it chiefly as affecting the workmen. The exception to the law of the employers' liability for injuries which deprived a servant of damages for injury occasioned by the act of his fellow-servant rested on the assumption that a workman undertook all the risks incident to his employment, including the risk of negligence on the part of a fellow-servant. This he believed to be a pure fiction. That exception, he submitted, ought to be looked steadily in the face. Suppose a railway passenger and a guard were both injured in an accident. The former would get compensation, but the latter would not; though, as far as knowledge of risk was concerned, he failed to see any difference between the cases of the two men. When it was laid down that the employer was not responsible to one servant for the acts of another, it became necessary to define the phrase "fellow-servants," which now meant persons taking pay from the same master. The principle involved was that one servant knew of the risk incurred by working with the other; but that, he could assure the House, was not the condition under which the mass of the working classes performed their work, and was certainly not the case in mining, except to a very limited extent. In mines, the men worked together in sets of three or four men, each of whom might properly be held to be in common employment in this sense; but any responsibility for an accident caused by the act of one of those four men could not justly apply to the other 400 or 500 men who might be in the mine. He contended that the employer, who selected his workman with a knowledge of his ability, and with the power of dismissing him, was liable to his servants, where the latter could not have that knowledge. To this principle he allowed an exception—namely, where the workmen had an opportunity of knowing each others' qualification for the work in which they were engaged. As for the Bill itself, it could not justly be said to be too sweeping, and he did not know how the hon. Member for Stafford could have avoided the abolition of the absurd distinctions between fellow-workmen and others existing under the present law. When that had been abolished, it would be necessary to define the liability of the employer. He did not think it a fair objection to the Bill that it would tend to recklessness on the part of the workmen, for a similar argument had been urged 30 years before about Insurance Companies. He denied that the question at issue turned upon money considerations at all, so far as the working men were concerned, and contended that the proposed change would not at all prejudicially interfere with the great majority of employers, who conducted their works in an efficient and proper manner. At the same time, its operation must certainly tend to make careless employers more careful than they were at present.

MR. PULESTON, though in favour of the principle of the Bill, should deem it to be his duty to vote for the Amendment of the hon. Member for Leeds

(Mr. Tennant). The discussion, which had been a very useful one, and for which they were indebted to the hon. Member for Stafford (Mr. Macdonald), seemed to him to have proved conclusively that the question was one which could be safely and satisfactorily dealt with only by the Government. A measure introduced by them, providing compensation for injuries such as those to which the Bill before the House related, consistently with the interests of employers and employed alike, would, he felt sure, meet with very general support. Voluntary efforts had already done much to remedy the evils complained of, and he hoped nothing would be done which would tend to diminish those efforts.

SIR HENRY JACKSON remarked, that the hon. Member for Morpeth, in a very moderate speech, had discussed the question entirely from the point of view of the workmen. But the Select Committee, in adopting the Report, which he (Sir Henry Jackson) had had the honour to submit to them, had viewed the subject from a different point of view. They had considered it to be part only of a far larger subject—that was to say, of the question of how far it was just or expedient to make any man responsible for any act of another man which he had not himself authorized? Many of the previous speakers had admitted that the present law went dangerously far. What they complained of was the invidious exception even to what they thus admitted to be a bad law. If a proper limit could be put to the general legal liability of a master for acts for which he was not morally responsible, whether such acts caused injury to strangers or to his own workmen, then strangers and workmen might reasonably be on the same footing; and if the promoters of this Bill, or the Government, were to bring in a Bill for this purpose, he would heartily support it. But that was not the line of action adopted. The hon. Member for Stafford and his Friends say—"We detest a distinction aimed directly against working men, and we will have none of it. Put working men on the same footing with other people, and then, and not till then, will we discuss the justice of the law, and, if it is found unjust, we will think of remedying it." This was the most favourable way of putting their case; for the evidence actually given by working men before the Committee showed that the witnesses had not thought the matter out; and that they, in fact, relied on the master being made to pay, because he was presumably better able to pay for a fellow-workman's default than the fellow-workman himself. A demand, based upon such grounds as those, was not likely to commend itself to the House. No doubt, the present law did often operate in practice so as to prevent a working man from obtaining compensation from his own employer for injuries which would have entitled him to compensation had they resulted from the act of a man, not in the same, but in some other employment. But that resulted not from his being a working man, but from his being engaged in the same employment, which really meant in the same enterprize or risk. It was entirely wrong to say that the law was made against the working classes. This statement was untrue historically, and untrue in fact. The well-paid Chairman or Manager of a Railway Company was just as much within the law as a plate-layer, or as a partner in a private enterprize—but the workman was within the rule just for the same reasons and to no greater extent than the other persons mentioned. The principle adopted by the Select Committee was, therefore, this—that where a number of persons were engaged in a common enterprize, all those persons in their several grades undertook to run all such risks as were involved in that enterprize, and that no one of such persons was liable to any other of them, except for his own personal neglect or default — for then he was, of course, liable by the present law. This legal principle had existed from the earliest recorded times, and, until very recent years, no attempt had been made to break through it. The first attempt was made in 1837, and failed, and all subsequent attempts had met with the same result. Experience and the presumption arising from antiquity were, therefore, strongly in favour of the law as it stood—at any rate, to this extent—that the burthen of proof was on those who undertook to alter the law. The Committee considered that this burthen had not been satisfied. They were, however, of opinion, that as the law required that the negligence which gave a remedy against a master should be personal negligence, it was right that no servant should be so placed as that it might be said he had no master who could be personally negligent. At present, a Railway Company or other corporate employer could not be personally negligent, because they were impersonal in their constitution, and many employers delegated all their authority, and took no personal interest of any kind in their work. In cases like these, it was only right that the agent who acted as master should be in the place of the real master for liability as well as for authority, and to this extent the Committee advised a change. Such a change, however, was perfectly consistent with the maintenance of the doctrine of common employment—the principle of which was, that all who entered into the same employment undertook all the emergencies and risks resulting from such employment. The right hon. Gentleman the Member for the University of London, in the Report which he submitted to the Committee, fell foul of the enunciation of this doctrine by some Judges, because it implied a contract which was, as he asserted, never dreamed of by either party. But, surely, the right hon. Gentleman might remember that the term, "implied contract," was merely a legal mode of expressing those natural obligations which the law considered to flow from, if not to be contained in, every arrangement of this kind. Nor did the right hon. Gentleman see any difficulty in implying a contract, on the master's part, to provide everything required for the workman's safety, even to the extent of providing him with careful and competent fellow-workmen, and guaranteeing their competency and care. Notwithstanding his deep respect for the right hon. Gentleman, he was bound to say that the Report which he had prepared was not altogether consistent with itself, for it did not absolutely adopt the principle of the hon. Member for Stafford, and make the master responsible for the neglect of every workman; but it proposed to establish a hierarchy of many gradations, and to extend the liability only down to the lowest on this scale. But would it be possible to stop there, or was there any logical standpoint short of the entire change? Again, it suggested a limit to the liability of the master, by making the "funds of the enterprize" alone liable for such injury. He confessed, that in the case of a private employer, he did not understand that phrase; but it indicated a very natural shrinking from the entire adoption of the principle favoured by the right hon. Gentleman. The truth was, that the subject was not yet fully understood, and public opinion was not sufficiently mature. There was a general cry on the part of railway servants that they were the victims of class legislation—a cry than which nothing could be less true, but which certain persons seemed disposed to repeat without consideration. If the Government would legislate on the whole subject of liability for accidents, and put the law on a footing of justice for all, he would heartily support them; but, in the meantime, he felt bound to vote for the Amendment of the hon. Member for Leeds, as that adopted the two practically identical Reports of the Royal Commission on Railways and of the Select Committee of this House.

Mr. LOWE said, the hon. and learned Baronet the Member for Coventry (Sir Henry Jackson) had supplied what he (Mr. Lowe) had felt throughout the debate to be a great want, and that was that someone would rise and say a word in favour of the Report of the Select Committee. The hon. and learned Baronet approved strongly of the present law, because he thought it was venerable from its antiquity; but nothing was more certain than that the whole of it had been created since 1838. It had not the slightest claim to antiquity. The very term "common employment" was new, and in the sense in which it was now used, had not been known till comparatively recent times. The law had been the creation of Judges, and it had been made in the most objectionable manner that could possibly be conceived. It had been introduced bit by bit as occasion required, and the manner by which that had been done was, not in the Judges saying—"This or this is the law;" but by now on one occasion, and then on another, on some statement of fact, supposing contracts which never existed, and had never been even heard of, until the emergency from which they were excogitated, arose. Thus came to be established, bit by bit, a body of jurisprudence by which working men were deprived of their right to compensation, Yet that was what the hon. and learned Baronet did not hesitate to speak of as a venerable institution. Now, he, for one, was entirely opposed to the doctrine of "common employment," believing it to be a figment which never should have been introduced into the law, and certainly ought never to have been introduced without notice to the persons from whom rights were thus taken. He hoped, therefore, it would be entirely abolished. He could not, however, agree with the hon. Member for Stafford (Mr. Macdonald), that the House ought to rest there. Something ought, he thought, to be substituted, though upon that point he was, of course, open to conviction. He was of opinion they could not do better than substitute a rule, that in those cases in which a man delegated his authority, cutting it into strips and dividing it among several persons, if any one of those persons caused an injury to his fellow-workmen while acting under his orders, he, as the head of the establishment, should be bound to make the compensation good, which necessarily arose from the acts of the persons exercising the authority so distributed. That principle, he would admit, did not find acceptance with the Committee, and he could not concur with the view which they took. He would simply express a hope, in conclusion, that the hon. and learned Attorney General would turn his attention to the subject—that he would take a large view of it—and would lay before the House a proposal a little more satisfactory than a recommendation which seemed to him to be a mere trifling with the subject.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, he could assure hon. Members generally that the Government were not indifferent with regard to the question—on the contrary, they had considered it with the greatest anxiety, and had been endeavouring for some time past to frame a measure dealing with the question in a manner which might be regarded as satisfactory. The House, and all reasonable men, would, however, he thought, agree with him that there were few subjects which presented so many difficulties. It might not, of course, be difficult to remove what was called the exception, and to place the law as to workmen on the same footing as it stood in connection with the general public. But then arose the question, could they do that without entirely prejudicing the interest of commerce and trade, without restricting the application of capital, and without embarrassing the operations of trade and manufactures. If they did that, instead of conferring benefit on the working classes, they would be doing that which would be to the detriment of the working classes. It had been said that the law with regard to the liability of employers for injuries occasioned, whether to the public or to their own servants, was not on a sound footing. There was great force in that remark. The law as it stood was a very harsh and severe law against employers. Under its operation, the employer was liable with regard to a third person for injuries inflicted upon him by the neglectful act of his servant in the course of his employment to the full extent of those injuries, though he might have used the greatest possible care to select prudent and skilful servants, and though the injuries might have been inflicted in direct contravention of his instructions. With regard to the servants in the employment of a master, the latter was liable for his own negligence or that of his partner, and also liable if he did not provide adequate and proper material, or safe machinery, or did not employ capable and skilful managers and servants. The only difference between the liability of an employer to the public and his liability to a workman was that in the case of a servant, as the law stood, if a servant could show that he sustained injury from a fellow-servant, and that fellow-servant was not competent, the master was liable; but if the injury was inflicted through the neglect of a fellow-servant, in that case the employer was not held responsible. It was said the law acted harshly. He did not think it perfect. It was, no doubt, unsatisfactory, but it did not necessarily follow that it could at once be set right. If they could make a *tabula rasa* of legislation, and begin afresh, the general opinion would probably be in favour of making an employer liable for his own negligence, for the negligence of his partners, and for negligent acts committed under his express authority, but no further. A law of that kind would be founded on justice, and it might satisfy the hon. Member for East

Sussex (Mr. Gregory), and even the hon. and learned Member for Chatham (Mr. Gorst), who was rather difficult to satisfy. In that case, the grievance which had been set up by the workmen would be swept away, and they would not have the slightest ground of complaint. Obviously, therefore, the workmen complained now not because they were dealt with unjustly, but because they were dealt with differently from the general public. If such a law as he had indicated was right and just, why, it might be asked, did not the Government propose it? Well, existing customs had become so inveterate, that he doubted whether it would be possible to get Parliament to sanction so radical a change. Contracts, and a variety of other transactions of life, were founded upon the existence of the law and its supposed continuance. What would happen with Railway Companies, for instance, if such a law were enacted? They would cease to be liable for accidents, and hon. Members could picture to themselves what a public outcry the introduction of a Bill to that effect would raise. As a way of meeting the difficulty, it might be suggested that Railway Companies and public carriers generally should become the insurers of passengers as well as of goods. But, then, the Government would be encountered by the directors of railways and others, who would declare that to be the most monstrous proposition ever laid before Parliament or the world. The fact was, the Government in a matter of this kind could not be entirely logical; it must confine itself to legislation which was practical, and if some discrepancies in the law were found to exist—if the law operated more hardly against one man than another—all that could be said was that that was unfortunate, but that it could not be helped. He would admit there was much ignorant clamour throughout the country on the question; but the grievance of the workmen was, he thought, to some extent, sentimental. There was an agitation against the existing law, but he did not think the House should dread that agitation. He did not think it should shrink from doing its duty because there was a clamour throughout the land for a sort of legislation which the people who clamoured for it did not understand. But, though he thought the workmen's grievance to some extent sentimental, he did not think it altogether so. It had been pointed out that in cases where there was a corporation, or where the masters deputed the management of their business to others, there was no one responsible, and it was hardly possible to claim compensation for injuries. He thought that was not impossible, and that there should be somebody who should be responsible for the acts of the corporation. Some change in the law in this respect ought, therefore, clearly to be made. What change the Government would propose he could hardly say. It was very difficult to know exactly what could be done until they came to frame a Bill and to put its provisions into black and white. Certainly, they would go to the extent indicated in the Report of the Committee, which appeared to him a fair and reasonable one. Perhaps it might be necessary to go further. Perhaps they might find it expedient to provide that a master should be responsible for injuries caused by the neglect of servants, to whom practically the duties of master were delegated; though here, of course, the difficulty of drawing the line would arise—a difficulty, but for which, his hon. Colleagues and himself might frame a Bill and have it ready by to-morrow morning. To go a step further, and make masters responsible for injuries inflicted by anybody who happened to be in a superior position in their service, would be unjust, and would almost have the effect of driving them out of the trade in which they happened to be engaged. He could not go that length. But he would certainly go, as he had said, the length of the Report, and perhaps somewhat further, in the direction he had indicated; and also, perhaps, in the direction of modifying the meaning of the term "common employment," so as to distinguish between workmen employed in perfectly separate and distinct branches of employment. Moreover, he did not know that the law of contributory negligence was altogether in a satisfactory state. Having stated his views, it only remained for him to say that he would bring in a Bill on the subject. If he might add one word, it would be that he did not think it necessary to make a distinction between railway servants and other servants, and that he hoped to be able to frame a Bill applicable alike to the servants of Railway Companies, of corporations, and of private individuals, and which he trusted would be entirely satisfactory.

MR. W. E. FORSTER expressed regret and surprise that the remarks of the hon. and learned Attorney General left the House no alternative but to vote for the second reading of the Bill. There was no probability of the Government grappling with the question this year, and he therefore thought that the Bill should be allowed to go before a Select Committee, as affording the only chance which the House had of speedily legislating upon the difficult subject of the liability of employers. It seemed to him that a sleeping partner ought not to escape, but ought to be responsible for the acts of every person in his employ.

MR. MELDON, as one of those who had given their names to the Bill, supported it.

MR. BULWER said, that he had moved the adoption of the Report of the Select Committee, because, in his opinion, it contained a true exposition of the law; whereas the Report prepared by the right hon. Gentleman the Member for the University of London, who was Chairman of the Committee, was founded on an utter misconception of what the law was. The right hon. Gentleman had again to-day repeated his most mischievous mis-statement — that the working men had in 1837 been deprived by the Judges of a right to compensation which they had previously possessed. Coming from a Member of the House, occupying so high a position as the right hon. Gentleman, such a mis-statement ought not not to go unanswered. It was calculated to do a deal of harm, and it was most important that the minds of the working classes should be disabused of the erroneous notion that any such injustice had been done them. There had been no alteration of the law in 1837. The present law was much older than the right hon. Gentleman the Member for the University of London seemed to suppose.

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow*.

HOSPITALS, &c. (SCOTLAND) BILL—[BILL 21.]

(*Mr. M'Laren, Mr. Maitland, Dr. Cameron.*)

SECOND READING. ORDER DISCHARGED. BILL WITHDRAWN.

MR. M'LAREN: I beg to ask that the Order for the Second Reading of this Bill be discharged. The Government has introduced a similar measure in "another place," which will include my Bill; and, although I do not approve of all the Government Bill, yet I think it right to move that the Order for this Bill be discharged.

Motion made, and Question, "That the Order for the Second Reading of the said Bill be read and discharged,"—(*Mr. M'Laren,*)—put, and *agreed to.*

Bill *withdrawn.*

IDIOTS, &C. (IRELAND) BILL.

On Motion of Mr. ARTHUR MOORE, Bill to make better provision for Idiots, Imbeciles, and other afflicted persons in Ireland, *ordered* to be brought in by Mr. ARTHUR MOORE, Mr. MELDON, and Mr. O'SHAUGHNESSY.

Bill *presented*, and read the first time. [Bill 149.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 11*th April,* 1878.

MINUTES.]—SELECT COMMITTEE—*First Report* —Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod. (No. 73.)

PUBLIC BILLS — *First Reading* — Bills of Exchange (Acceptance) * (71); Metropolis Management and Building Acts Amendment * (72); Railway Returns (Continuous Brakes) (75).

Committee—Report—Endowed Schools and Hospitals (Scotland) (56).

Report—Education (Scotland) * (69).

ENDOWED SCHOOLS AND HOSPITALS (SCOTLAND) BILL—(No. 56).

(*The Lord President.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

THE EARL OF GALLOWAY said, he regretted that he was not able to be present when the Bill was read the second time, as he had desired to offer some remarks upon the duties cast upon the Governing Bodies. As it now stood, it appeared to him quite possible that the wishes of the Governing Bodies might be set aside by the action of the Commissioners. The Bill provided that if the Commissioners approved of the proposition of a Governing Body, and that proposition subsequently received the approval of the Secretary of State, the application would be granted. But it was not at all impossible that in any given case the Commissioners might take an entirely different view from the Governing Body—they might make alterations such as they deemed fit; and as there was no power given to the Governing Body to the Secretary, the whole power passed, in fact, to the Commissioners. That being so, it was his intention, in Committee, to move the addition to Clause 8 of a few words taken from the Act of 1869, the effect of which would be that in cases in which the Commissioners did not approve the Petition of the Governing Body, and desired to substitute something else, it should still be open to the Governing Body to persist in their application.

House in Committee.

Clauses 1 and 2 *agreed to.*

Clause 3 (Interpretation of terms).

THE MARQUESS OF RIPON said, that on the second reading he had suggested that, instead of the Home Office having the control of these matters, it would be better that they should be under the Scotch Education Department. He could only now repeat that suggestion.

THE DUKE OF RICHMOND AND GORDON said, he had, as he had promised, considered the matter, and that he could not accept his noble Friend's proposal. He would remind his noble Friend that the Lord Advocate had always had a very close connection with these institutions, since it was his duty to see to the protection of these endowments by making application to the Courts of Law. It was not desirable, therefore, to take the powers under this Bill out of the hands of the Secretary of State or of the Lord Advocate; because they had to deal, to a great extent, with charities other than educational. The Provisional Orders to be issued under the Bill would be issued by warrants of the Secretary of State in the same way that Provisional Orders in connection with other matters connected with Scotland were issued—namely, by the authority of the Secretary of State for the Home Department.

Clause *agreed to.*

Clause 4 (Governing Body may resolve to apply for Provisional Order).

THE DUKE OF ARGYLL said, that during the discussion on the second reading, he had offered some remarks on the permissive character of the Bill, and had suggested that it should be made compulsory. He would ask if the noble Duke had taken his suggestion into consideration?

THE DUKE OF RICHMOND AND GORDON said, that after the debate on the second reading, he had taken the proposals made during the discussion—including that of the noble Duke—into consideration; and, after consulting with his Colleagues, and especially with the Secretary of State, the conclusion at which they had arrived was that, on the whole, it was not desirable in this Bill to introduce any compulsory powers. They believed that there were a great number of the endowed schools and hospitals in Scotland—perhaps not all, but a great majority—which were prepared to avail themselves of the provisions of this measure—and they thought they should be wanting in respect to those bodies, and should be showing a want of confidence in them, if they assumed that they did not desire to reform their institutions by availing themselves of the powers provided under the Bill. He believed that they would avail themselves of those powers, and that from time to time schemes would be submitted by them for the approval of the Secretary of State. Her Majesty's Government did not propose, therefore, in the first instance, to resort to compulsory powers; but if, after a certain period of time had elapsed, they found that the institutions had not availed themselves of the powers of the Bill, then they should think it necessary to bring forward a compulsory measure, and one, too, of a much more stringent character than that now before them.

THE DUKE OF ARGYLL said, he did not wish to press the matter on the Government, when they were unwilling to adopt it; but he must express his regret that the noble Duke did not see his way to adopt the compulsory system in this Bill, to the extent, at all events, that it was adopted in the English Act. He did not think that his noble Friend was quite consistent in the conclusion he had come to, remembering the very extensive power the English Acts gave to the Commissioners of Endowed Schools, and also to the Commissioners of Oxford and Cambridge, in witholding these powers from the Commissioners under the present Bill. Their Lordships were, no doubt, aware that, in regard to the schemes furnished for the Endowed Schools in England, and with regard to the Universities, there was reserved the power of objecting. He did not know why the same rules should not be applied to the Endowed Schools in Scotland as were applied to the Endowed Schools in England. Moreover, the noble Duke was not quite consistent in his view of this measure in itself. Inasmuch as he had distinctly told their Lordships, that although the Bill was of a permissive character, the Governing Bodies would be hereafter subjected to much more compulsion than they would be by this Bill if they did not choose to come forward and avail themselves of it by forwarding schemes.

Clause *agreed to.*

Clause 8 (Provisional Order to be laid before Parliament).

The Earl of GALLOWAY moved the Amendment to which he referred in his observations upon going into Committee on the Bill—namely, to insert the words "on the application of the Governing Body."

The Duke of RICHMOND and GORDON said, it would have been more convenient if the noble Earl had given their Lordships Notice of the Amendment he intended to propose. He regretted that he was not able to see his way to accept the Amendment, simply for the reason that it would render the Bill of no avail. It would give the Governing Bodies of the institutions proposed to be reformed under this Bill the power of putting a direct veto upon the issuing of any scheme. That was to say, if they were not satisfied or pleased with any scheme for which a Provisional Order had been issued, they would have the power of stopping the measures.

The Marquess of RIPON said, he did not doubt that the Governing Bodies would avail themselves freely of the facilities afforded by the Bill for reforming themselves. But, nevertheless, he thought it right to say, that when modifications and amendments had been made in the schemes which they had submitted, it would be only right and proper that the Governing Bodies should have an opportunity of seeing the alterations which had been made, and of considering their effect and extent, and that he thought was the object which the noble Earl had in view in his Amendment. But he did not think the Governing Bodies should have a veto on the schemes that had been so altered and revised by the Commissioners.

The Duke of RICHMOND and GORDON said, that he had prepared a clause which would meet the objections his noble Friends had pointed out; but he thought it would be better to bring it forward on Report. After Clause 7, line 15, after ("order"), he proposed to insert, as a separate paragraph, these words—

("Provided also, that if the provisional order shall contain provisions different from those prayed for by the governing body, or shall omit provisions prayed for by them, the Secretary of State shall before signing the order cause a copy of it to be sent to the governing body, who may, if they think fit, state in writing to the Secretary of State any objections or suggestions respecting such order within one month after the copy thereof was sent to the governing body; and the Secretary of State shall, if he think fit, remit to the Commissioners to report on such objections and suggestions, and shall consider the same together with the report of the Commissioners.")

The Earl of GALLOWAY said, that after the noble Duke's statement, he would withdraw his Amendment.

Amendment (by leave of the House) *withdrawn.*

Clause *agreed to.*

Clauses 9, 10 and 11 *agreed to.*

Clause 12 (Commissioners to be appointed).

The Earl of ELGIN hoped the noble Duke would not regard his Amendment as hostile to the Bill, although he deeply regretted the announcement made this evening that the Government had determined to maintain its permissive character. He proposed to strike out of the clause the denominations from which certain of the Commissioners were to be selected—because, in the first place, it limited the responsibility of the Government; and, secondly, it limited the choice of the Commissioners in a very mischievous manner. He would point out, that it could hardly be expected that a Professor of Aberdeen or Convener of a northern county could regularly attend meetings in Edinburgh; and, therefore, he was afraid they would have either a Commission representing not those denominations throughout the country, but that part of them residing within reach of Edinburgh, or else a Commission with two or three Members doing the work, under the liability of having their decisions overruled by their semi-official Colleagues at any moment. Then the noble Duke said that the Members of this Representative Body were not to be elected, but nominated by the Government; and, if so, he could not see why the usual course had not been followed—a Commission named on the responsibility of the Government, and their appointment defended, if need be, on the ground of their representative character. He was afraid the Commission, as proposed, would not give satisfaction even to those bodies in whose interest it was supposed to be devised, for he observed that already one of them had declared it one-sided; and he could not help thinking that if it were necessary to represent the several Governing Bodies—and he thought every consideration ought to be paid to local claims—it would be better to treat them in some such way as the Colleges were treated in the University Bill, by giving them a voice in their own reform, but not to imperil the permanent strength of the Commission. For these reasons, he would move the Amendments reducing the number of Commissioners from eight to five, and abolishing the qualifications imposed by the clause.

Amendments moved, in line 11, to leave out from ("exceed") to end of paragraph, and insert ("five"); and, in line 21, to leave out ("Chairman and the three first-named.")—(*The Earl of Elgin.*)

The Duke of RICHMOND and GORDON said, he very much doubted whether the proposal set forth in the Amendment of the noble Earl would give them a more efficient Commission than the method proposed by the Government. He did not concur with the view of the noble Earl, that the Commission proposed by the Government would represent merely a limited part of Scotland. Instead of taking in merely a limited area of the country, they intended to take in the whole of Scotland; and he believed they did so, and that they would secure the representation of every interest in Scotland by means of the selection of the Commissioners. Nor did he think the position could be maintained that the Commission so selected would be a one-sided body? He asked their Lordships to consider the constitutions of the bodies from whom they proposed to select the Commissioners, and he thought they would come to the conclusion that a fairer selection could not have been made. Upon the Commission there would be a Principal or a Professor of one of the Scottish Universities; there would be a member of the Educational Institute of Scotland; one would be the Sheriff of a county in Scotland, one would be the Lord Provost or Provost of Edinburgh, Glasgow, Aberdeen, or Dundee, and one the Convener of the Commissioners of Supply of a county in Scotland. This machinery of selection would give them a body who would fairly represent every interest in Scotland, and he thought he might fairly claim that such a body would possess the confidence of Scotland in a measure above that likely to be bestowed upon one nominated by any Government. Recognizing the spirit in which the Amendment was proposed, he was sorry he could not accept it.

The Earl of ROSEBERY said, he was exceedingly sorry that the noble Duke did not accept the Amendment of the noble Earl (the Earl of Elgin), which was one conceived in a spirit of confidence in the Government. The object of the noble Earl was to leave the Government perfectly free in their choice. What did the noble Duke complain of? Was it that too great confidence was shown in the Government by some of those who sat on the Opposition side of the House? That was a ground of complaint which they did not often hear from Ministers in this country. If he might be allowed to read the clause as it would stand with the alteration proposed by the noble Earl, the House would be able to judge whether it would be calculated to give more strength to the position of Her Majesty's Government than could be had with the restricted choice they assigned themselves on the clause as it now stood. The clause, the Amendment being agreed to, would read thus—

> "For the purposes of this Act it shall be lawful for Her Majesty from time to time, on the recommendation of the Secretary of State, to appoint Commissioners to hold office during Her Majesty's pleasure, but the number of such Commissioners shall not at any one time exceed five."

Supposing the Amendment now before the House to be agreed to, there would be absolutely nothing to prevent the noble Duke appointing the very officials to whom he wished to commit himself without choice. It should be remembered that the bodies to be affected by this Bill were very powerful and very independent, and it did not seem to him in the interest of the contemplated reform that the Commission to whom it was to be entrusted in so large a manner should be as free and as powerful.

THE MARQUESS OF RIPON said, that upon neither side of the House did there seem to be any inclination to support the view of the noble Duke. It did appear to him that the Commission, which was meant to be executive, was for that end constituted in a very inconvenient and unusual manner. Under the Amendment, the noble Duke could nominate the whole of the Commission upon his own responsibility—which in his (the Marquess of Ripon's) judgment, was much better than restricting his choice. If the Amendment were adopted, he could put upon the Board representatives of such interests as he chose. It was most desirable that the choice of the Government should not be confined to any particular bodies. Under the 11th clause, the Commissioners would submit for the consideration of the Scotch Education Department the conditions according to which, in their opinion, the Parliamentary Grant for Public Education in Scotland might be most advantageously distributed for the purpose of promoting education in the higher branches of knowledge in public and State-aided schools. He confessed, with the utmost possible respect for the officials named in the clause, that he did not think the persons chosen from among them were the best persons to make recommendations with respect to the disposition of the Parliamentary Grant. Under all the circumstances, he thought it would be found most inconvenient if the clause were allowed to pass in its present form. If necessary, he thought the House should divide upon the question.

THE DUKE OF ARGYLL really hoped his noble Friend the noble Duke opposite would not object to a Vote of Unlimited Confidence in the Government. After the formation of the late Government, he had charge of the Bill regarding the India Council; and, in the Conservative spirit for which that Government was so remarkable, it was proposed to keep part of the body self-elected, as it formerly had been. The noble Marquess opposite (the Marquess of Salisbury) proposed a clause to the effect that the whole power of electing the India Councils should be in the hands of the Secretary of State, and upon a division the Government was beaten. He (the Duke of Argyll) accepted the power then put into his hands with a good grace, and he hoped his noble Friend opposite would in the same way receive the power it was now proposed to put into his hands. The clause was intended to give a sort of public security that the Government should appoint fit and proper men for this great duty. Now, was it really true that they would secure fit men by enacting that the Government would be bound to appoint a man who was a Sheriff? He knew many Sheriffs of counties in Scotland who were ignorant of the matters dealt with by the Bill, because they had never given their minds to them. They were able enough men as regarded their own duties, but there was nothing in them which would qualify them to discharge the functions which this clause would confer upon them in case of their selection by the Government. With respect to the provision for choosing one of the Provosts of the great cities in Scotland, there was one remark to be made—that they had very little time or attention left to bestow upon matters outside their own onerous duties. A like remark applied to the other officers named, and he strongly urged that the better plan would be to throw the whole responsibility upon the Government. The qualifications laid down in the Bill were really no qualifications at all.

LORD GORDON said, he was delighted at the unrestricted confidence shown in the Government; but they should remember that the Government had given much attention to the matter, and selected for Members of the Commission the persons who they thought would best represent public opinion in Scotland. With the exception of the noble Duke who had just sat down (the Duke of Argyll), no one urged any objection to the fitness of the official persons referred to in the clause. The noble Duke complained that the Sheriffs of counties were not fit persons for this duty; but did he forget that, under the Act of 1869, the Sheriffs of counties were the only persons who were to make the inquiries?—and that, therefore, when the Government took the Sheriffs of counties as a class from which to choose these Commissioners, they were simply following the example of the late Government? The officials named, he thought, represented very fairly the interests of the towns and counties. The towns were very much interested in this, by large charities being situated in Edinburgh, Glasgow, and other towns.

THE EARL OF GALLOWAY said, the proposition of the Government would not be acceptable to the Governing Bodies in Scotland.

THE DUKE OF RICHMOND AND GORDON said, between the present time and the third reading, he would consider whether, without damaging the measure as a whole, some change might be made in the clause to meet the view of his noble Friends. If so, he would introduce some alteration upon that stage, which he hoped to take to-morrow evening.

Amendment (by leave of the House) *withdrawn.*

Clause *agreed to.*

Bill *reported*, without Amendment; and to be read 3ª *To-morrow.*

ECCLESIASTICAL COMMISSION—MR. CHARLES ARMSTRONG.

QUESTION. OBSERVATIONS.

THE EARL OF SANDWICH asked the First Ecclesiastical Commissioner (the Earl of Chichester), Why Mr. Charles Armstrong has not been allowed to continue in the occupation of his farm at Godmanchester, in the county of Huntingdon, lately purchased by the Ecclesiastical Commissioners? As he was informed, Mr. Armstrong had occupied the farm for 20 years, and during that period had spent a great deal of money in improving it. When he heard it was about to be sold to the Ecclesiastical Commissioners, he applied to their agent, who told him that he thought he might be allowed to continue in possession of the farm; but immediately afterwards—he believed on the same day—wrote to him, informing him that he would not be continued as tenant. Subsequently, it was handed over to another tenant, who, he believed, had six farms already. He considered that this was an extremely hard case, because it was admitted upon all hands that Mr. Armstrong was an excellent farmer, and had greatly improved the land. He also pointed out that the Ecclesiastical Commissioners had acquired an enormous amount of land, yielding a revenue of £1,000,000 a-year, and that the cost of management was something about £60,000. He considered that they had acted in something like a tyrannical manner in this instance; and he was not alone in that opinion, Mr. Armstrong being much esteemed by all his neighbours.

THE EARL OF CHICHESTER said, that he had nothing whatever to say against the character of Mr. Armstrong, the tenant, either as a gentleman or a farmer; and the fact that the noble Earl had taken an interest in the case, and that he had also received a letter from the Duke of Manchester on his behalf, was a sufficient testimony of the high position he held in the esteem of his neighbours. The Question of the noble Earl was—why Mr. Armstrong was not continued in his tenancy? and the answer he (the Earl of Chichester) had to give was, that the Ecclesiastical Commissioners had been advised, and they had adopted the advice, to make a different arrangement in regard to this property and the property adjoining, which could not have been carried out had Mr. Armstrong's lease been renewed. But he must also mention the fact that Mr. Armstrong was under notice to quit when the property was offered for sale, and the Commissioners would not have been advised to make the purchase if it had not been known that the tenant was going to leave. It was on that ground that the Commissioners had entered upon the contract. The noble Earl might have led the House to suppose that Mr. Armstrong had been encouraged by the sub-agent, Mr. Smith, to entertain the idea that he would be continued in his occupation; but what happened was, that shortly before the sale, Mr. Armstrong asked the sub-agent the question whether he would be allowed to remain, and the sub-agent said that he thought it might be so. But, on seeing his principal, he found that that could not be allowed, and within 24 hours the sub-agent sent a special messenger to correct his mistake, and to say that he had no authority for saying what he had said the day before. The noble Earl alluded to the extent of the land owned by the Commissioners; but their Lordships were aware that this was a necessity of their office. He might, however, state that they had sold more land than they had bought, and that there was no complaint against them of being what was termed in the Colonies "land sharks," which appeared to be the character attached to them by the noble Earl in this particular neighbourhood. He would also remind their Lordships that the amount of land they had acquired was not yet sufficient for the purpose of complying with the Act of Parliament, which compelled them to provide permanent endowments for Ecclesiastical Corporations. The noble Earl concluded by handing in the Correspondence which had taken place upon the subject.

On the Motion of the noble Earl, the Correspondence was laid before the House, and ordered to be *printed.* (No. 74.)

RAILWAY RETURNS (CONTINUOUS BRAKES) BILL.

(*The Lord Henniker.*)

BILL PRESENTED. FIRST READING.

LORD HENNIKER said, their Lordships would, perhaps, recollect that in the discussion which took place on a Motion of his noble Friend (Earl De La Warr), a short time ago, as to continuous brakes, he (Lord Henniker) stated that Her Majesty's Government thought it might be advisable to introduce a measure which, as far as continuous brakes were concerned, would follow the precedent of 1873, when a short Act was passed to obtain certain information from the Railway Companies with reference to the interlocking of points, and the working of the block system. The Bill which he was about to present was intended to carry out this suggestion. The Act of 1873 was introduced, as he might remind their Lordships, in consequence of a recommendation of a Select Committee presided over by the noble Duke opposite (the Duke of Somerset). It was quite unnecessary for him to detain their Lordships for more than a very few minutes in introducing the Bill, which was a very short one, consisting of only two—or, practically of only one, clause. It provided simply that certain Returns respecting continuous brakes should be made by the Railway Companies to the Board of Trade, in the same way as they now made Returns as to the interlocking of points. The provisions of the Bill were, that every Railway Company should, twice in every year, make to the Board of Trade Returns respecting the use of continuous brakes in the passenger trains running on the railways worked by such Company. These Returns were to be made on the 31st of December and 30th of June in each year, or on such other days fixed, as might be, from time to time by the Board. The Returns were to comply with the requirements of the Board of Trade, and were set out, so far as this Act was concerned, in a Schedule. It was thereby required that these particulars should be given—(1.) The name of the Railway Company. (2.) Name and description of the brake adopted by them and in use on their passenger trains. (3.) Whether the brakes were instantaneous in action, capable of being applied by the engine-driver or guards; whether they were self-acting; whether they could be applied to every vehicle of the train, and whether they were used in daily working—a most important point—and (4) whether the materials used were of a proper kind, of a durable character, easily maintained and kept in order; information was to be given as to all the engines and vehicles employed by the Companies in their passenger traffic. (5.) They were required to state the amount of their stock used for passenger traffic not fitted with continuous brakes, and the amount of such stock which had been fitted during the six months. They were required, also, to furnish Returns, showing whether the continuous brakes in use on their lines had failed from any cause when required to be brought into action; and (6) Returns showing every case where continuous brakes had not been used. These were all the provisions of the Bill. From the experience of the working of the Act of 1873, which required Returns to be made as to the block and interlocking system, there was, he trusted, some reason to hope that in the matter of continuous brakes the publicity that would be given, and the attention that would be drawn to the question, would cause the Companies to pay no less attention to the necessity of providing continuous brakes than they had to adopting the interlocking and block systems. It would be interesting to mention, that in the year 1873, 10 of the principal Companies, with a mileage of 7,918 miles, had from 29 to 40 per cent of their points interlocked. In 1876 the same Companies, with a mileage of 8,809, had 75 per cent of their points interlocked; and in some cases—such as the London, Brighton, and South Coast Railway, and the London, Chatham, and Dover Railway—they had completed the interlocking system over the whole of their lines. He would not trouble their Lordships with any figures as to the block system; it was sufficient for him to state that they were as satisfactory as those he had quoted as to the interlocking system. No doubt, considerable expense had been incurred by the Railway Companies by the adoption of the block and interlocking systems; but it was most satisfactory to know that the number of train accidents had decreased. This was the case not only in a relative sense to the large increase of traffic, but it was an actual decrease when compared with the figures of 1873. In 1873 there were 251 train accidents, and the number of passengers conveyed—exclusive of season-ticket holders—was 455,320,188; in 1877 there were 182 train accidents; and, although the number of passengers could not yet be given for 1877, there was no reason to suppose the number had fallen off from 1876, when there were 538,287,295. He thought these figures would show the advantage of obtaining Returns of this kind. The publicity they gave was an incentive to the Railway Companies to adopt those mechanical contrivances which tended to secure the safety of the travelling public. They allowed, too, an opinion to be formed as to the advantages which would arise as the adoption of these contrivances became more general over the Railways of the United Kingdom.

Bill to provide for Returns respecting Continuous Brakes in use on Passenger Trains on Railways—*Presented* (*The Lord Henniker.*)

LORD HOUGHTON said, he could not imagine that there would be any objection on the part of the Railway Companies to make such Returns as the Bill required. If, at the present time, the Companies were not so unanimous as the Board of Trade might wish them to be as to what was the best form of brake, it was simply because of the number of continuous brakes which were now actually employed, and because of an unwillingness to surrender what was believed to be effectual machinery for that which might not produce equally good results. It was wrong to suppose there was any unwillingness on the part of the Companies to report these matters to the Board of Trade, and he believed the object might have been secured without a Bill under the orders which the Board of Trade was now empowered to issue. It would be admitted that, with a few casual exceptions, the requisitions of the Board of Trade had hitherto been readily complied with.

LORD CARLINGFORD said, the Returns contemplated by the Bill would have the effect of keeping his noble Friend (Lord Houghton), and other Railway potentates, continually under the eye of the public, and would enable their Lordships and the public to judge whether the Companies introduced this necessary means of safety with sufficient rapidity, or whether it might not be necessary—he hoped it would not be—to apply some direct measure of coercion.

Bill read 1^a; to be *printed;* and to be read 2^a on *Monday* next. (No. 75.)

UNION OF PARISHES (METROPOLIS)—DESTRUCTION OF CITY CHURCHES.

QUESTION. OBSERVATIONS.

LORD HOUGHTON asked, Whether the Lord Bishop of London has issued any Commission, to report on the union of parishes in the City of London which involve the destruction of any of the City churches? In consequence of the diminution of the resident population within the City, those churches were not now so frequented as they had been; while, on the other hand, those who most frequented the City, came there on the week days only, and had their residences in the West End or in the Suburbs. Therefore, it had been thought advisable that some arrangements should be made by which certain parishes in the City might be united in such a way as to require fewer places of worship than there were at present. He did not deny the expediency of new Ecclesiastical arrangements to meet the altered state of things; but, as there were natural apprehensions that they might, perhaps, lead to the destruction of churches that were cherished for their architectural merits or historic associations, he wished for information upon the subject.

THE BISHOP of LONDON said, that he had pleasure in giving the information. There were in existence five Commissions with reference to the union of parishes within the City, which had been issued by the Bishop of London under the Union of Benefices Act; four had reported, and one had done its work. The details of those which were stiill pending were as follows:—For the union of the rectory of St. Vedast, Foster Lane, with St. Michael-le-Querne; and for the union of the rectory of St. Matthew, Friday Street, with St. Peter, Cheap. The scheme would involve the removal of the church of St. Matthew, Friday Street. For the union of the rectory of St. Benet, Paul's Wharf, with St. Peter, Paul's Wharf; and the rectory of St. Nicholas, Cole Abbey, with St. Nicholas Olave; and St. Mary, Somerset, with St. Mary, Mounthaw. This scheme did not involve the removal of any church. But the disused church of St. Benet would be given over to the Committee of the Welsh Congregation in London for Divine Service in the Welsh language according to the use of the Church of England. For the union of the rectory of St. Margaret Pattens with St. Gabriel, Fenchurch; the rectory of St. Mary-at-Hill with St. Andrew, Hubbard; and the rectory of St. George, Botolph Lane with St. Botolph, Billingsgate. This scheme involved the removal of the churches of St. George, Botolph Lane, and St. Margaret Pattens. There was no prospect of this being carried out, as the patron had not consented. For the union of the rectory of St. Helen, Bishopsgate, with St. Martin Outwich, and the rectory of St. Ethelburga, no Report had yet been made under this Commission. For the union of the rectory of St. James, Garlickhithe, and St. Michael, Queenhithe, with Holy Trinity the Less, and the rectory of St. Mildred, Bread Street, with St. Margaret Moses. This union scheme would involve the removal of the church of St. Mildred, Bread Street. This scheme was recommended, but the course was prevented by the objection of a patron, who presented every fourth turn.

House adjourned at half past Six
o'clock, till To-morrow,
Twelve o'clock.

HOUSE OF COMMONS,

Thursday, 11*th April*, 1878.

MINUTES.]—SELECT COMMITTEE—*Special Report*—Public Petitions Committee [No. 145]; Mutiny and Marine Mutiny Acts, *appointed* and *nominated.*

WAYS AND MEANS—*considered in Committee*—The Resolutions.

PRIVATE BILL (*by Order*)—Ramsgate Improvement and Harbour *, 2°.

PUBLIC BILLS—*Resolution* [April 8] *reported*—*Ordered* — *First Reading* — Conway Bridge (Composition of Debt) * [150].

Second Reading—Customs and Inland Revenue [146].

Second Reading—*Referred to Select Committee*—Freshwater Fish Protection [131].

Select Committee—Ecclesiastical Buildings (Fire Insurance) * [99], Mr. Cowper *discharged*, Mr. Bristowe *added.*

PUBLIC PETITIONS.

PUBLIC PETITIONS COMMITTEE.

Leave to make a Special Report.—Special Report *brought up*, and read :—

"Your Committee have considered the case of the twelve Petitions from Dublin against the Sunday Closing Bill referred to them by the House, and heard evidence on both sides of the question.

"That, in their opinion, a distinct attempt was made to mislead the House by affixing the signature of W. A. Exham to one of the Petitions, although the address of W. A. Exham, the person presumably intended to be represented as having signed the Petition, is 9, Fitzwilliam Place, and not 29, as alleged. That a similar attempt was made in the case of Mr. George Macgusty, 34, Dawson Street, in which case the person signing the Petition wrote John Macgusty. With regard to the signatures of Charles Forbes, William Lacy, and Mark Keogh, sworn declarations were produced which satisfy your Committee that these signatures were genuine. There remain several cases of addresses which either do not exist or at which the persons professing to sign do not reside; but these informalities do not, in the opinion of your Committee, furnish sufficient ground for recommending the discharge of the Order that the Petitions do lie on the Table, with the single exception of the Petition to which the signatures of W. A. Exham and John Macgusty are affixed, and in this case your Committee recommend accordingly that the Order that this Petition do lie upon the Table be discharged.

"That your Committee have been led by the consideration of these Petitions to the conclusion that it is desirable to recommend the House to amend the order of their appointment, and, instead of ordering them in all cases to set forth the number of signatures to each Petition, only to do so in respect of those signatures to which addresses are affixed."

Report to lie upon the Table, and to be *printed.* [No. 145.]

QUESTIONS.

GUN LICENCE ACT, 1870 — RABBITS (SCOTLAND).—QUESTION.

Sir ALEXANDER GORDON asked Mr. Chancellor of the Exchequer, Whether he will cause instructions to be issued to the officers of the Inland Revenue Department in Scotland, directing them to act in accordance with the recent decision of the Court of Session, that rabbits are vermin within the meaning of "The Gun Licence Act, 1870?"

The CHANCELLOR of the EXCHEQUER, in reply, said, it was not at present intended to issue the instructions referred to, for the following reasons :—First, because the decision in question was given by the Second Division of the Court of Session ; and, secondly, because the Court was divided in opinion. Still, in consequence of it, instructions had been given to the Commissioners of Inland Revenue to have a new case prepared and submitted to a higher Court, in which case, if the decision was confirmed after full review, it would be acted upon.

CORONERS—INQUESTS ON LUNATICS. QUESTION.

Colonel BRISE asked the Secretary of State for the Home Department, Whether his attention has been called to the proceedings that took place upon the day appointed for the funeral of the late Rev. Charles Lessingham Smith, of Little Canfield, Essex ; and, whether the coroner was justified in stopping the funeral at the last moment upon the allegation by a Dr. Richards that the deceased (who was of unsound mind) had said that he was being poisoned by his nephew ?

Mr. ASSHETON CROSS, in reply, said, his attention had been called to the subject-matter of the hon. and gallant Gentleman's Question, and he had caused inquiry to be made. The coroner had informed him, that the deceased gentleman being a certified lunatic, he had not decided upon holding an inquest until he had consulted several gentlemen of experience, and arrived at the conclusion that he could not refrain from inquiry without laying himself open to a charge of neglect of duty.

THE CUSTOMS' CLERKS. QUESTION.

Mr. BLAKE asked the Financial Secretary to the Treasury, Whether Her Majesty's Government will take into consideration the case of the extra Clerks in the Customs with a view to the increase of their salaries; whether practically the extra Clerks are not frequently called upon to perform the same duties as the established Clerks ; and, whether the retrospective action of the Treasury Order of 1856 fixing the limit of age for admission to the service at 25 years, and disqualifying for promotion all Clerks entering the service after that age has not inflicted hardship on some Clerks, of whom only four remain, and whether their case will be considered ?

Sir HENRY SELWIN-IBBETSON : Sir, the clerks in question are now only three. None have been appointed since 1868, and no further appointments will be made. There is no reason why the case of these clerks should be taken into consideration apart from that of the clerical part of the Customs generally. Extra clerks are employed in the subordinate duties of the department to which they are attached, and their duties may at times be the same as those performed by some of the junior clerks. These clerks never had any right of succession to the establishment. The Treasury Order of 1856 limited (for general reasons) the age for appointment to the establishment to 25 years, but made an exception in favour of extra clerks up to 40 years, provided they had been appointed to be extra clerks before the 25th year of their age. The former limit of age for appointment to the establishment had been 30 years. When it was made 25 years for all, it was a pure act of grace to make any exception whatever in favour of the extra clerks. There are many questions pending connected with the application of the Playfair Report to the Customs establishment which are at this time engaging the attention of the Board of Customs and of the Treasury.

CRUELTY TO ANIMALS ACT, 1876—LICENCES.—QUESTION.

Mr. HOLT asked the Secretary of State for the Home Department, with reference to the Return of Licences granted under " The Cruelty to Animals Act, 1876" (39 and 40 Vic. c. 77), for which an Address to the Crown was ordered on the 19th ultimo, Whether he is willing to include in the Return the number of Licences cancelled, the reasons for which they have been cancelled, and the names of the Inspectors employed under the Act; and, whether he still objects to publish the names of the persons licensed ? He also wished to ask, Whether a Return will be given in reference to Ireland ?

Mr. ASSHETON CROSS, in reply, said, no licences had been cancelled on account of misconduct by their holders. There could be no objection to the Return asked for; but he could not promise the names of the persons to whom licences had been granted, as he thought it was contrary to the understanding the House had on the subject. He had no jurisdiction as far as Ireland was concerned; but he had no doubt that his right hon. Friend the Chief Secretary for Ireland would assent to a Return as far as that country was concerned, if it were moved for.

ARMY — THE ROYAL ENGINEER DEPARTMENT.—QUESTION.

Sir ARTHUR GUINNESS asked the Secretary of State for War, If he is prepared to allow applications for retirement on the part of Clerks, Royal Engineer Department, to stand over until the Royal Warrant for their branch is promulgated ?

Colonel STANLEY: Sir, there seems to be no good reason why the retirements, which can only be permitted to a limited extent, should not be proceeded with, without waiting for the promulgation of the Warrant. I have reason to believe some of the gentlemen concerned are anxious to avail themselves at once of the privilege offered.

ARMY—PAYMASTERS.—QUESTION.

Major NOLAN asked the Secretary of State for War, If the late Warrant for the Army Pay Department purports to appoint, from the 1st April, all former Paymasters of the Army to the position of Departmental Paymasters, such Departmental Paymasters to serve for the future with pay and advantages uniform in their respective grades; if such Paymasters as were formerly Control Paymasters are exempt from finding security for moneys drawn by them since the 1st April; and, if this is the case, is he prepared to exempt also from finding security for moneys drawn since that date such Departmental Paymasters as were previously Regimental Paymasters; if he is aware that the practical method in which Paymasters have often been in the habit of obtaining security has been by subscribing £10 from the 1st April of each year to an Assurance Society;

and, if the effect of any delay in giving them the same exemption as the late Control Paymasters will not be to lessen their annual pay by £10?

Colonel STANLEY: Sir, with the exception of a few regimental paymasters, who have elected to remain under their previous Warrant, all the regimental paymasters have been appointed departmental paymasters, and will serve with the pay and advantages common to all the members of the department. It has accordingly been decided to relieve them from the necessity of giving security on condition of their being found, after inspection, to have conducted their office work satisfactorily. I am aware that in very many cases the providing security has involved expense to the paymasters. Consequently, release from such obligation will be equivalent to increasing their pay by the amount of the subscriptions now paid by them.

ARMY—CAVALRY COLONELS—ROYAL WARRANT, 1878.—QUESTION.

Major O'BEIRNE asked the Secretary of State for War, Why the Royal Warrant dated the 15th February 1878, has raised the pay of full Colonels of Cavalry, thereby cancelling a previous Royal Warrant by the late Government, which deemed it expedient to equalize the pay of full Colonels in every branch of the Service?

Colonel STANLEY: Sir, the Warrant has been issued to carry out a recommendation of the Royal Commission on Army Promotion. It defers, but does not abolish or cancel, the intended equalization of the rates of pay of colonels of Line regiments, of Cavalry, and Infantry.

TURKEY—THE GREEK PROVINCES—THESSALY.—QUESTION.

Mr. W. CARTWRIGHT asked Mr. Chancellor of the Exchequer, If any, and what, steps have been taken to ensure the effective protection for life, honour, and property to the population of Thessaly, an assurance of which, according to the inclosure in Despatch, No. 188 of the Greek Papers presented to Parliament, was the one condition which the Greek Government made when it recalled its troops from that province in deference to the representations of the Powers?

The CHANCELLOR of the EXCHEQUER: Sir, I can only say in general terms that Her Majesty's Government have been using, and are still using, their best endeavours, both with the Ottoman Government and the Greek Government, to bring about a pacification of those Provinces. The Porte, in consequence of the representations of Her Majesty's Ambassador at Constantinople, undertook to remove the irregular troops and protect the Christian population; but I am sorry to say the disturbances still appear to be going on, and all I can promise is that every exertion that can be made on our part shall be made to put a stop to them.

CRIMINAL LAW—CASE OF THE REV. MR. DODWELL.—QUESTION.

Dr. KENEALY asked the Secretary of State for the Home Department, If he would explain to the House why, after the reports made to him by Dr. Forbes Winslow, in consultation with Dr. Gibson and Dr. Winn, which declare the perfect sanity of the Rev. Mr. Dodwell, now in Newgate for a common assault, he still detains that gentleman in custody as a criminal lunatic, to be confined during Her Majesty's pleasure; and, whether he will recommend his release without further delay?

Mr. ASSHETON CROSS: Sir, I think that the terms of the hon. Member's Question might lead some hon. Members to suppose that I had called for a Report from the gentlemen named; but that is certainly very far from being the fact—I merely having received certain letters from them in reference to the case in question. I have this morning received a letter from two of these gentlemen, stating that Notice of the Question had been placed upon the Paper without their sanction and against their wish. In reply to the Question of the hon. Member, I have to state that it has been found by the verdict of a jury that this unfortunate gentleman committed the act constituting the offence for which he was indicted when insane, and he has, therefore, in accordance with the usual practice, been sent to the Criminal Lunatic Asylum at Broadmoor. In accordance with the invariable practice of my Predecessors, I shall allow him to remain there until I am advised by the proper authorities that it will be safe to the public and to himself to release him.

ROYAL WARRANT, 1870—TIME FOR PENSION.—QUESTION.

General SHUTE asked the Secretary of State for War, Whether he will favourably consider the hardship of not allowing officers to reckon for pension and retirement their services before the age of 20, even although, as is the case in some instances, a portion of those services has been performed before the enemy in the field?

Colonel STANLEY, in reply, said, he was afraid that he should not be justified in holding out to his hon. and gallant Friend any hope that the portion of the Royal Warrant to which his Question referred was likely to be altered. The question was most carefully discussed during the time that the Warrant was being prepared. Although, undoubtedly, where the services had been performed in the field in face of the enemy, the line laid down might press hardly upon officers, yet it was considered necessary to fix a line of definite age, and after most careful consideration, that age was fixed at 20.

THE MURDER OF THE EARL OF LEITRIM.—QUESTION.

Mr. WHITWELL asked Mr. Attorney General for Ireland, Whether any report has been received as to the extraordinary circumstances reported in "The Times" to have occurred at the funeral of the late Earl of Leitrim; and, whether, if none has been received, the Government will ask for one from the authorities who are responsible for keeping good order in Dublin?

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) in reply, said, that he had no information on the subject beyond the painful and distressing account in *The Times* that morning; but he proposed to write to Dublin for information on the subject that evening.

NAVY—WAR MATERIAL AT TENEDOS.

QUESTION.

Sir GEORGE CAMPBELL asked the First Lord of the Admiralty, Whether there is any foundation for the announcement which appears in that evening's papers, to the effect that British war material has been landed in the island of Tenedos?

Mr. W. H. SMITH, in reply, said, that he had received no official information on the subject, but that he believed the announcement to be wholly without foundation.

RUSSIA—ROUMANIA.—QUESTION.

Mr. J. COWEN asked Mr. Chancellor of the Exchequer, Whether there is any truth in the statement which has appeared in the evening papers, to the effect that Russia is taking forcible military possession of Roumania and the management of its railways?

The CHANCELLOR of the EXCHEQUER: Sir, I have received no official information on the subject. Perhaps the hon. Member will give Notice of his intention to repeat his Question.

PARLIAMENT—PUBLIC BUSINESS—THE EASTER RECESS.

QUESTIONS. RESOLUTION.

In reply to Mr. Dillwyn,

The CHANCELLOR of the EXCHEQUER said, that the arrangement of Public Business depended upon the course which might be taken by the House to-night. The first and main object of the Government would be to complete the Customs and Inland Revenue Bill and the Public Works Loans Bill before the Holidays. He could not foresee the course the discussion might take; but if they could take Ways and Means in Committee, and then discuss the two Bills he had mentioned, he hoped on Monday to take the Customs and Inland Revenue Bill in Committee, and then, if there remained sufficient time, they would then proceed with the Civil Service Estimates. In that case, he would propose to have a Morning Sitting on Tuesday, in order that, if necessary, the House might finish the financial measures, in the hope that after the Morning Sitting the House might rise for the Holidays. It was not intended to take any Scotch Business before the Holidays, nor any Civil Service Estimates for Ireland, and, therefore, Irish Members would not be detained unnecessarily. A Notice, in the name of his hon. and learned Friend the Attorney General, had been standing on the Paper for some time, and the Government would be glad if he had an opportunity of introducing his important Bill to amend the Code of Indictable Offences; and, therefore, he begged to move that the Orders of the Day after the first three should be postponed for the purpose of enabling his hon. and learned Friend to introduce his measure, provided it could be reached in reasonable time.

Motion made, and Question proposed,

"That the Orders of the Day subsequent to the Public Works Loans Bill be postponed until after the Notice of Motion for leave to bring in a Bill for establishing a Code of Indictable Offences."—(*Mr. Chancellor of the Exchequer.*)

MR. MARK STEWART asked, What classes of the Civil Service Estimates it was proposed to take?

THE CHANCELLOR OF THE EXCHEQUER: Classes II. and III.

MR. PARNELL asked, Whether the Chancellor of the Exchequer intended or hoped to get through the amount of Business he had indicated before the Holidays?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that he had stated what the Government would like to do.

MR. MACDONALD complained, that on the preceding day, when a Bill of very great importance to the working classes was discussed, a Supporter of the Government rose, and succeeded in talking it out. As that hon. and learned Member sat immediately behind the Treasury bench, he (Mr. Macdonald) regarded him as acting on behalf of the Government. He thought that whether obstruction was by long or short speeches, it was still obstruction, if the effect was to defeat the reading of a Bill. He could not willingly consent to the proposition of the Chancellor of the Exchequer to postpone the Orders of the Day, unless the right hon. Gentleman would give him and the House an assurance that some opportunity should be afforded for a division being taken on his Bill, so that those who were most deeply interested in it would be able to judge what was the opinion of the House of Commons upon it. He held that no Bill in point of importance had been discussed that Session. They could spend their time on the veriest trifles, but when such matters came before them they could be shunted at once. Petitions numerously signed were thus ignored, and the demands of the wealthy producers fully snuffed out.

MR. MILLS rose to a point of Order. The hon. Member was not speaking to any question before the House.

MR. SPEAKER ruled that the hon. Member was not in Order in discussing the merits of the Bill.

MR. MACDONALD asked the Chancellor of the Exchequer, Whether he was prepared to consider the obstruction on his side of the House? It was of the greatest importance they had full information on the subject. The country wanted to know what was to be done on the subject, and they should know from the Leader of the House what they were to expect.

MR. FAWCETT said, that what occurred on the previous day raised a most important question. [*Cries of* "Order!"] He was going to explain that there was a distinct Motion before the House that all the Orders of the Day subsequently to the second reading of the Public Works Loans Bill should be postponed, and amongst the Bills that would thus be postponed was that of the hon. Member for Stafford (Mr. Macdonald), which was talked out on the preceding afternoon; and, therefore, he was clearly in Order, in making remarks with the view of showing that the Motion of the Chancellor of the Exchequer should not be assented to, because it would place the Bill of his hon. Friend in a worse position than it would otherwise occupy. He did not say that he was a supporter of the Bill of the hon. Member for Stafford, but it was a Bill in which great interest was taken out-of-doors; and some consideration ought to be paid to a measure so deeply affecting the interests of the working classes. The speeches in the debate were unusually short, practical, and pertinent to the point, and what took place was unusual. If the proceedings which had taken place yesterday were sanctioned by the House, and unless Government took some step to prevent a repetition of them, what would be virtually said would be that obstruction on the other side of the House was triumphant, and there was not the smallest chance of the Bills introduced by private Members reaching a stage in which the opinion of the House might be ascertained upon them. Talking out a Bill was fatal to the privileges of private Members. The hon.

Member for Stafford, and the many people out-of-doors who took a deep interest in this question, had a right to know what was the opinion of the House upon it. If anyone would take the trouble to look at the Order Book, he would find that every Wednesday, up to the end of the Session, was absolutely blocked; and, under these circumstances, he thought the hon. Member and the public had a right to complain of any measure which had been fully discussed being talked out by a Government Supporter. If the Government had intimated to the hon. and learned Member for Ipswich (Mr. Bulwer) the slightest wish that he should not talk out the Bill, it would not have been done. To prevent a repetition of such a course, some Representative of the Government ought to rise in his place and discourage these proceedings on the part of their Supporters, and express regret that a discussion on the question was evaded as it was. He thought his hon. Friend the Member for Stafford was perfectly right in making a protest, and was entitled not only to press for a declaration on the part of the Government, as to what had been done, but, also, considering the unusual interest taken in the subject out-of-doors, to ask that the Government should afford him an opportunity for bringing forward the Bill on a future occasion.

Mr. GLADSTONE wished to contribute what he could to the present discussion of a very important question of procedure, but he entirely disclaimed any intention of casting blame on the Government. He could not think the blame was due to the Government, and he was even sanguine enough to expect that the Chancellor of the Exchequer, or some other Member of the Government, would express regret at what had taken place, and disavowal of the proceeding. But when they came to speak of the proceedings in themselves, they could not be too strongly characterized. The operation of talking out was, at the best, a doubtful operation, and a more objectionable method of getting rid of a subject in which a very great number of persons—not those most directly or powerfully represented in that House—felt deeply interested, it was impossible to conceive. He should have thought it would have been very difficult to find any Member of the House to undertake the odious service. ["Oh, oh!"] He had not used the words hastily, and he adhered to them. It was an odious service, with respect to a Bill of such a nature by such means, and he was astonished that there should be a difference of opinion on the subject. It appeared as if the hon. and learned Gentleman who undertook that service really lagged at every sentence, and had nothing whatever to offer on the merits of the Bill. But to this extent the House would go, whether it was an odious service or not—it was a very inexpedient practice, and one which ought not to be encouraged in such cases. Considering what had been said of the efforts of the hon. Gentleman the Member for Stafford, the great difficulties in which he was placed, and the circumstances which did occur, he hoped that some engagement would be given by the Government. He understood that there was a pledge on the part of the hon. and learned Gentleman the Attorney General to introduce his own Bill; and if he should introduce it as a Government measure, the hon. Member, it was to be presumed, would have fair opportunity of placing his Bill in contraposition to the Government plan, so that his case was not so bad as it would have been. But he (Mr. Gladstone) wished to exempt the Government from any charge in respect to what had happened. It was within his knowledge that his right hon. Friend the Member for the University of London (Mr. Lowe) did receive a communication from the Attorney General during the debate, requesting him to keep his remarks within as brief a compass as he could—which he (Mr. Gladstone) understood to have been an honourable engagement on the part of the hon. and learned Gentleman to contribute what he could towards obtaining a division. At the same time, he hoped that Her Majesty's Government would take care, whether by the presentation of their own plan or otherwise, to give the fullest opportunity for bringing to an issue a question of so much importance in which an important section of the public were so much interested.

The ATTORNEY GENERAL (Sir John Holker) hoped the House would bear with him on behalf of the Government, while he remarked that the right hon. Member for Greenwich was correct in saying that he (the Attorney General) had given a pledge to introduce a Bill on the subject, and that pledge he intended to redeem. When that was done, the hon. Member for Stafford (Mr. Macdonald) undoubtedly would have an opportunity of bringing his particular views on this subject before the House, and get the House to adopt them if he could. [Mr. BRIGHT: This Session ?] This Session. With regard to the proceedings of yesterday, he must say he was particularly desirous of saying what he had to say on the subject before that period after which he could say nothing. The right hon. Gentleman the Member for the University of London was also anxious to speak, and he (the Attorney General) received a communication from him that if he would delay his rising for a short time, he would not occupy much of the time of the House. He accordingly did so. He had not very much time left. He thought he began at a quarter-past 5, and he ended at 25 minutes to 6. There were 10 minutes left for other Gentlemen to explain their views to the House. That was sufficient time for hon. Members to explain their views; but nearly the whole of it was occupied by the right hon. Gentleman the Member for Bradford (Mr. Forster). [Mr. GLADSTONE: Five minutes.] He was bound to say that the right hon. Gentleman's observations were very short and very much to the purpose. The right hon. Gentleman the Member for the University of London (Mr. Lowe) made remarks which were well calculated to raise a desire in the minds of some hon. Members to answer them, because he made remarks with reference to judicial decisions which were not highly complimentary to the tribunals of the land. He (the Attorney General) was not astonished, therefore, that an hon. and learned Gentleman who was a Member of the Select Committee on the subject was particularly anxious to explain his views, and to answer the right hon. Gentleman. The Government had nothing whatever to do with the Bill of the hon. Member for Stafford being talked out; the fact being, that they were anxious that a decision upon it should be obtained.

MR. RODWELL, after the strong observations of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), wished, in the absence of his hon. and learned Friend the Member for Ipswich (Mr. Bulwer), but without concert with him—as he had no thought that this matter would have arisen—to offer an explanation which would, he was sure, acquit his hon. and learned Friend of all blame. During the debate of yesterday, his hon. and learned Friend was in constant communication with him, and, early in the day, he rose once or twice to address the House, having, as a Member of the Select Committee, had some responsibility in connection with certain legal questions which were involved in the inquiry, but failed to get the desired opportunity. Later in the day, feeling that by getting up he might jeopardize the Bill, his hon. and learned Friend refrained, until he was provoked into speaking by what fell from the right hon. Member for the University of London. And it was solely in consequence of that right hon. Gentleman's remarks that he was induced to rise, because he thought some censure had been cast on those who had urged their views as to the exisiting state of the law before the Select Committee. He hoped that those who had the impression that there was, on his hon. and learned Friend's part, any intention to talk out the Bill, would accept, in his absence, the explanation which, without his consent, he had taken the liberty of making.

MR. GLADSTONE said, he accepted fully and absolutely everything the hon. and learned Gentleman opposite (Mr. Rodwell) had just said, and felt quite sure that on the part of the hon. and learned Member for Ipswich there had been no intention to obstruct the Bill. The observations which he (Mr. Gladstone) had made, he admitted were quite erroneous, and he regretted having used them.

MR. SULLIVAN, while sympathizing deeply with the friends of the Bill in thinking it was unfairly talked out, thought it hardly lay with the hon. Member for Stafford (Mr. Macdonald) to denounce a policy of obstruction, seeing that that hon. Gentleman had himself the other evening carried out a policy of obstruction against the Irish Sunday Closing Bill.

MR. MACDONALD rose to speak, but was called to Order.

MR. SPEAKER: The hon. and learned Member for Louth is in possession of the House.

MR. SULLIVAN said, he had been astonished at seeing his hon. Friend in some of the obstructive divisions the other evening; and, now that his hon. Friend had trouble brought to his own door, it was to be hoped he would receive a lesson.

Mr. MACDONALD asked the hon. and learned Member for Louth to study the division list again, and then to state on what authority he made that accusation against him of obstructing the progress of the Irish Sunday Closing Bill.

Mr. MELDON was sorry his hon. and learned Friend (Mr. Sullivan) should appear to advocate a policy of retaliation with regard to such an important Bill as that of his hon. Friend the Member for Stafford. He did not think that hon. Members over whom the Government had control should offer obstruction, and he considered that the complaint of the hon. Member was justified. But the Motion of the Chancellor of the Exchequer would postpone other Bills than the measure of the hon. Member for Stafford. One of those Bills was the Parliamentary Franchise Bill, which had been read a second time, and as to which an hon. Member on the other side had put down a Notice, in order to prevent the House from going into Committee on that Bill. This kind of obstruction was as bad as talking out, and they were justified in asking that the Government should try to get rid of it.

Sir JOHN LUBBOCK observed, that after what had been said by the hon. and learned Member for Cambridgeshire (Mr. Rodwell), it must be felt that there was nothing intentionally unfair in what had happened yesterday, however much it was to be regretted. The statement of the hon. and learned Attorney General was satisfactory so far as it went; but he hoped the Government would give the hon. Member for Stafford an opportunity of bringing forward this Bill again, as there was a large number of working men in the country who were anxious that the House should express its opinion on the principle it contained.

Mr. R. E. PLUNKETT hoped that full opportunity would be given to discuss the Indictable Offences Bill in its first stage.

Mr. PARNELL thought the Chancellor of the Exchequer might properly devote a portion of his time during the Easter Recess to the question of the desirability of introducing a Bill for the purpose of regulating the offence of Parliamentary obstruction, and defining what was and what was not obstruction; for otherwise, on every occasion when the Chancellor of the Exchequer brought forward a Motion similar to that which they were discussing, they ran the risk, in an Assembly where this method of obstruction was almost constantly in use by various Members on both sides, sometimes even by Members of the Government, and sometimes, though not so often as he could wish, by the front Opposition bench—of losing their time in debating whether an independent Member had or had not exceeded his Parliamentary right. For his own part, as everybody had something to complain of, he had to complain of the conduct of the Government the other night, in aiding and abetting in the counting-out of the House, when his (Mr. Parnell's) Bill with reference to the Purchase of Church Lands stood upon the Orders for consideration, and also of the manner in which other measures brought in by Irish Members were impeded. He hoped that the Chancellor of the Exchequer, if he gave a day to the hon. Member for Stafford, would also afford facilities to the hon. and learned Member for Kildare.

The CHANCELLOR of the EXCHEQUER said, that he would not detain the House, for it was not the wish of the Government that more time should be spent in the somewhat peculiar discussion into which the House had drifted, though some profit might perhaps be derived from some of the observations which had been made upon the various forms of obstruction which were, sometimes consciously and sometimes unconsciously, adopted in that House. He only wished to say a word or two with regard to his Motion, and it would be observed that Thursdays were always given to Government Business, and that he had only proposed one piece of Government Business should precede another. He did not think that proposal could possibly affect the rights of private Members. No doubt, there were many Orders on the Paper, of which some might conceivably be reached; but many of them were there because the Wednesday Business had been left incomplete, and the others were those of which the Government Business would necessarily take precedence, and which had hardly any chance of coming on. The hon. Member for Stafford (Mr. Macdonald) would give the Government credit for sincerely regretting that a Bill so important as his should not have had the decision of the House; but the result was not owing to any action taken by the Government, who did all they could to shorten the debate; and, after the explanation which had been given by his hon. and learned Friend the Attorney General, and the remarks of the hon. Member for Hackney and the right hon. Gentleman the Member for Greenwich, the hon. Member and the House would see that there had been no deliberate intention of talking out the Bill. The Home Secretary, too, had been in his place all the afternoon, and had abstained from speaking on the Bill lest the time should prove insufficient. The Attorney General had given Notice that he would be prepared to introduce a Bill on the subject, and he did not think that more could be expected of the Government.

Motion *agreed to.*

ORDERS OF THE DAY.

WAYS AND MEANS.—COMMITTEE.

WAYS AND MEANS — *considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That, on and after the first day of June, one thousand eight hundred and seventy-eight, in lieu of the Annual Duty of Five Shillings imposed by the Act of the thirtieth and thirty-first years of Her Majesty's reign, chapter five, there shall be granted and charged the Annual Duty of Seven Shillings and Sixpence for and in respect of every Dog of the age of Two Months or upwards, for which a Licence to keep the same shall be taken out under the said Act, such Licence terminating on the thirty-first day of December following the day on which it is granted."

MR. CHILDERS: Sir, when the Budget was introduced, it was understood that the present would be the proper occasion for its consideration as a whole. I, therefore, now propose to address to the Committee a few observations on its general character and scope. Perhaps the present Budget stands almost alone among those recently brought before Parliament in that it deals so much with the financial affairs of two years that it is almost impossible to treat those two years separately. During the last few weeks of the past year, and the early part of the present year, a very large Expenditure has been incurred, no part of which will be met by fresh taxation imposed during last year. The Budget, therefore, is framed so as to meet the additional charge of two years—not only the year in which we now are. Looking at the Budget from that point of view, I would point out what is involved in the financial arrangements of the Chancellor of the Exchequer. For the last financial year there was a surplus of £860,000, and for the present financial year there is an anticipated deficit of £1,560,000—that is to say, for the two years an anticipated deficit of £700,000. I am speaking now exclusively of the ordinary Revenue and ordinary Expenditure. The Chancellor of the Exchequer has for the first time used these words, ordinary and extraordinary Expenditure, and I cannot but follow him; but, remembering French and Indian Budgets, I much regret their use in our Accounts. As to the ordinary Revenue and ordinary Expenditure of the two years, 1877-8 and 1878-9, there is, then, a deficit of £700,000. That deficit is, practically, spread, not very unequally, over the two years; because the year 1877-8 has been credited with a considerable amount of Revenue which really belongs to the year 1878-9, and because the Expenditure of the year 1878-9 differs from that of its predecessor in including, for the first time, the charge for prisons. Well, Sir, we have, therefore, first this fact to deal with—that the ordinary Expenditure of the two years is greater than the ordinary Revenue; and as to this I shall have something to say. But to this deficiency the amount of the extraordinary Expenditure has to be added. The Chancellor of the Exchequer has not been very precise as to the figures of the extraordinary Charge in 1878-9. I do not blame him for caution at such a crisis as the present; still, when special taxes are raised in order to produce a specific amount, it is very inconvenient not to know what are the special Charges in the mind of the Chancellor of the Exchequer. I take, however, his figures. Three and a-half millions have been spent last year out of the Vote of Credit. A million and a half may be wanted this year. With the £700,000 deficit, we thus, in all, have to provide for something like £5,750,000. The Chancellor of the Exchequer, in the present year, proposes out of that £5,750,000, to raise by additional taxation something like £3,750,000, by increasing the Income Tax from 3*d.* to 5*d.*, and by increasing the tobacco duty by 4*d.* per lb. That would leave about £2,000,000 to be provided in 1879-80; and, assuming that the deficit in the ordinary Revenue to meet the ordinary Expenditure will remain the same, it is clear that we shall have to raise next year, in 1879-80, pretty much the same additional taxation as for the year 1878-9—or, in other words, that the imposition of the additional Income Tax and the extra 4*d.* per lb. on tobacco will have to be borne not only in the current year, but also till 1880, even if there is no increase in the ordinary Charges. I hope I have made that clear to the Committee.

If that is so, let me point out to the Committee how the policy of the Government has brought on us additional burdens since the year 1874. I think it is fair to take the year 1874 as a starting point, because the Chancellor of the Exchequer came into Office in that year under circumstances unparaleled in Public Finance. I do not suppose that on any other occasion did a Government come into Office finding between £5,000,000 and £6,000,000 a-year at their disposal with which to relieve the burden of taxation, and thus enabled to adjust on a permanent footing the relative incidence of the direct and indirect taxes. The Chancellor of the Exchequer knew what was contemplated by his Predecessor in Office—if not the whole story, a good deal of it. He knew, at least, this—that it was intended to devote a considerable amount of that surplus to the entire repeal of the Income Tax. But the Chancellor of the Exchequer did not adopt what was known to be proposed by his Predecessor. He took a deliberate review of the whole field of taxation; and, instead of repealing the Income Tax, he only applied a small amount of the surplus to its reduction. Let us, then, see how subsequent changes have affected the deliberate adjustment of 1874. In 1876, he added 1*d.* to the Income Tax, and he adds 2*d.* now—the 5*d.*, with the new remissions, producing £9,000,000, as against £4,000,000 produced by 2*d.* under the old system. With the help of £750,000 from tobacco, £5,750,000 has thus been added to our taxes since 1874. Now, I think it will be incumbent upon the Chancellor of the Exchequer, if he desires to reconcile the great settlement of taxation which he made in 1874 with his present proposals, to explain to Parliament why, having further sums to demand of the country, he totally alters the proportion—proposing to raise seven-eighths by direct, and only one-eighth by an increase of indirect taxation. That seems to me to be a question which the Chancellor of the Exchequer must satisfactorily answer.

I will pass from this to the Budget itself, and I will first take the ordinary Receipt and Charge. The figures are very simple. This year we are asked to authorize an ordinary Expenditure of £1,560,000 in excess of the ordinary Revenue. Let there be no mistake on this point. Do not let it be imagined that, after all, the Army and Navy Estimates, as laid before us, have any reference to the extraordinary Expenditure going on. That is not the case, and the Chancellor of the Exchequer took great care to leave us in no misunderstanding on that point. On the contrary, the fact of the extraordinary Charge being met by a Vote of Credit, enables the spending Departments to keep their ordinary Estimates low. How, then, does the present relation of ordinary Expenditure to Income compare with that with which the present Government started in 1874? Let us look first at the Revenue of the present year, and compare it with the Revenue which the Government found when they came into Office. In 1873-4—the year towards the end of which the Chancellor of the Exchequer took Office—the Revenue received from Customs, exclusive of the Sugar Duty, was £18,339,000. The Estimate for the present year is £19,750,000, so that the normal increase during the four years is something like £1,400,000. The Excise receipts in 1874, deducting the Horse Duty, were £26,692,000; the Estimate this year is £27,500,000; the Stamp Duty gave £10,550,000, as compared with £10,930,000; the Land and House Taxes gave £2,324,000, against an Estimate this year of £2,660,000. I will take the Income Tax as if there were no change. Strictly speaking, there is a considerable improvement in the yield of the Income Tax within the last four years. The Income Tax at 2*d.* yielded, in 1873-4, £3,600,000; the Estimate at the same rate for 1878-9 I will put down at a like figure. The Post Office, in 1874, yielded £5,240,000—the Estimate this year is £6,200,000; the Telegraph Service yielded then £1,210,000, as against £1,315,000 this year; and the Crown Lands £375,000, as against £410,000. I omit altogether the enormous increase of the Miscellaneous Receipts, as to some extent it is a matter of Account. Now, what is the result of these figures? They show that, taking all the items of taxation precisely upon the same basis as existed when the Chancellor of the Exchequer took Office, the Revenue of £68,330,000 for the year 1873-4, has risen to £72,365,000 for the present year—showing a normal growth in the four years of not less than £4,035,000. That has been the progressive increase in the great branches of Revenue. But it will be said that the Government, with the approval of Parliament, added largely to the Expenditure for the relief of local burdens, and had to meet legacies from their Predecessors, and that these additional charges far more than balanced the normal increase of the Revenue. Let us examine this. The total increase in the charge for the relief of local burdens is £2,068,000. The increase in the charge for Public Education is £1,253,000. Then, there is the increased cost of the Post Office and Telegraph Departments to be considered in the comparison, and this amounts to £410,000. These items for the relief of local burdens, for Public Education, and for the Telegraph and Postal Departments, represent an increased charge of £3,731,000, the normal increase in the taxation, on a comparison of the two years, being £4,035,000; so that £300,000 more has been produced by the normal growth of the Revenue than the special expenditure which, on former occasions, was put forward as justifying increased demands on the taxpayer. That appears to me to be a very important fact, which ought to be well weighed by the Committee and by the country. What, then, is the conclusion? Why, that while the natural growth of the Revenue has been more than sufficient to provide for the special increases of charge, we have 2*d.* added to the Income Tax—1*d.* in 1876, and 1*d.* in 1878—due exclusively to the gradual increase of Departmental Expenditure in every branch of the Administration. The Chancellor of the Exchequer has found the spending Departments too strong for him, and the addition of 2*d.* to the Income Tax is the result. Take, for instance, the Naval and Military Estimates of the present Government in 1874, including the Supplementary Estimates of 1874, and those Estimates this year. I find that the Estimates of 1874-5 amounted, after deducting the extra receipts, to £23,394,000; while the Estimates for this year, also deducting extra receipts, amount to £25,457,000, showing an increase of £2,063,000. The increases in other Votes account for the remaining £1,500,000 raised by the additional 2*d.* Income Tax.

But, let me now revert to the way in which the Revenue has been increased. I have shown that of the whole of the additional taxation since 1874, no less than seven-eighths has been, or is to be, levied by an increase of the Income Tax, and only one-eighth is to be raised by other means. I do not deny that, under certain circumstances, the Income Tax is a powerful weapon for raising large sums of money, and in a short time. Of that there is no doubt. But I believe some hon. Members on both sides of the House will agree with me, when I say that, considering the altered character of the incidence of the Income Tax during the last two years, it is questionable, and even perilous, to raise very nearly the whole of our additional taxation in this way. It will be remembered that when, two years ago, the Chancellor of the Exchequer added 1*d.* to the Income Tax, he altered its incidence by considerably increasing both the amount entitled to absolute exemption, the amount up to which a deduction had to be made, and the amount of that deduction; and it was stated at the time — I think not only on this side of the House—that there was much peril in making that change, because its effect would be that a great many persons would actually pay less tax after the rate had been increased than they had paid in the year before. We did not, however, get at the time actual figures showing the results of the altered incidence of the tax. It was only when we were in possession of the Report of the Commissioners of Inland Revenue, circulated at the beginning of the present year, that we could obtain any idea of the effect produced by the change. They state that it is not in their power to give approximate figures of the number of persons, returned under Schedules A, B, and C, who will be relieved from the payment of Income Tax by the alteration made in 1876; but they give the numbers for Schedules D and E, under which almost exactly one moiety of the tax is now being collected. The number of persons under these Schedules, who were relieved altogether from the tax by the Act of 1876, was 244,000; and if the same number be assumed for Schedules A, B, and C, we may fairly conclude that 500,000 persons have been altogether relieved from taxation under the operation of the change made by the Chancellor of the Exchequer in 1876. In addition to this 500,000 altogether freed from taxation, several hundred thousand persons were taxed much lower under the new scale. If the area of the incidence of the Income Tax has been so narrowed, is it not perilous to look to it for seven-eighths of all additional taxation? To throw upon a small class the whole burden of war or extravagance, to popularize in this way increased expenditure, is, to my mind, no small political danger. It is, of course, not for us to suggest what other source of Revenue should be employed. We have done our duty by showing that the raising of the whole increased Revenue from virtually only one source, has not been proved to be necessary, and may be very dangerous.

I wish to say a few words, in passing, upon one of the items of additional taxation proposed by the Chancellor of the Exchequer—namely, the increase of the Dog Tax. The number of dogs that are expected to come within the operation of the law this year is, if I am not mistaken, about 1,500,000; and 2*s.* 6*d.* additional tax, even with the proposed exemption, would certainly produce a larger sum than the £100,000 estimated by the Chancellor of the Exchequer. [The CHANCELLOR of the EXCHEQUER: From the 1st of June!] The Chancellor of the Exchequer says—"From the 1st of June;" but my right hon. Friend forgets that the tax is payable in the month of January; so that in January, 1879, he will receive 7*s.* 6*d.* on all dogs; and the effect of the additional tax, commencing in June instead of April, must be extremely small. However, that is a point of not much importance, and no doubt the right hon. Gentleman will make some explanation respecting it. As to the increase itself, he did not give the Committee a scintilla of a reason or an apology for making that proposal. Perhaps, he thought that it would, in some way, tend to check the number of stray dogs, especially in the country. Well, I have made inquiry on the subject, and am informed by persons experienced in these matters, that the effect will probably be exactly the reverse, and that more dogs than ever will be turned loose to escape the tax-collector's visit. But there surely ought to be given some reason why, in the same Parliament, the rich man's horse has been exempted from taxation, while the tax on the poor man's dog is to be increased. I entirely concur in the wisdom of exempting collie dogs used by shepherds; but I hear that hound-whelps are also to be exempted, and this will require clear justification. There is another small class of dogs which I think ought to be exempted from taxation—I mean those employed in guiding the blind. There are, perhaps, only a few hundred of these animals; but, considering the poverty of their owners, and how dependent they are upon the dogs that lead them along the streets, I think there could be no objection to exempt this class from taxation.

THE CHANCELLOR OF THE EXCHEQUER: I have had a clause drawn for that purpose, and I am obliged to the right hon. Gentleman for that intimation of his opinion upon the subject.

MR. CHILDERS: I am extremely glad to hear the announcement, and I feel sure that the Committee will receive it with satisfaction.

I now come to the point to which the Chancellor of the Exchequer devoted the greater part of his speech, and which, I think, deserves the most careful attention of the Committee—I mean the condition of the Debt, and the effect on the Debt of the present system of loans from the Exchequer. My right hon. Friend gave us no figures in his Budget Statement of the actual amount or reduction of the Debt. I took upon myself to remark that he had made this omission for the first time in a long series of Budget speeches; and he afterwards read the figures. I beg the Committee to bear with me, while I put before it, as shortly as I can, the result of the explanation which my right hon. Friend gave. The condition of the Debt, on the 31st of March, 1874, was this—the Funded Debt amounted to £723,514,000; the valuation of Terminable Annuities, to £51,290,000; and the Unfunded Debt, £4,480,000; the total being £779,284,000. The balances in the Exchequer were £7,442,000; so that the net total Debt, on the 31st of March, 1874, was £771,842,000. Now, what was the state of things on the 31st of March last? The Funded Debt was £710,867,000; the Terminable Annuities were valued at £46,338,000; the Unfunded Debt was £20,603,000; making a total of £777,808,000. The balances of the Exchequer were £6,243,000. So that, against a net Debt, on the 31st of March, 1874, of £771,842,000, there was, on the 31st of March last, £771,565,000; shewing a total reduction of the Debt, in four years, of £277,000, or £69,000 per annum—this being the result of the working of the new system for paying off the National Debt. After all that we have heard as to the magnificent results to be achieved through the operation of the second Sinking Fund, I can conceive no lower bathos than the fact that in four years, the Government have only succeeded in reducing the Debt by £277,000. The right hon. Gentleman meets us with the plea—"Oh; but you must remember we have greatly increased our assets;" but what would be said of such an excuse in private life? Let us suppose that a gentleman, with an estate of £10,000 a-year, had upon it mortgages to the extent of £100,000, and that his steward had, during a series of years, contrived to pay out of the savings of each year, sometimes more and sometimes less of the charges on it. The gentleman appoints a new steward, who says to him—"You have a heavy mortgage on your estate, and I propose to you a magnificent plan for paying it off. We will open a new folio in the estate ledger, and credit it with a fixed sum yearly, and, I promise you, in the course of a few years, that you will greatly reduce your mortgages." Well, after four years, the £100,000 is found to be £100,000 still, with this difference—that, whereas the old mortgages were for long periods, some of the new ones had to be paid off in a few months. What would be said of the explanation? "True, I promised that I would reduce your mortgages; and I have not paid off a shilling. But I have lent your savings to your poor relations, who want to improve their properties, and I believe I have taken excellent security." The real fact is that, instead of reducing the Debt to a larger extent than formerly, the result of the operations of the Exchequer since 1874 is the entire suspension of reduction, and the substitution of extensive loans to public bodies. The exact extent of these loans it has been difficult, until lately, to ascertain; but there is a Return moved for by the First Lord of the Admiralty, which gives the total amount of outstanding loans to localities in England, Ireland, and Scotland, and the Colonies—whether made through the Exchequer Loans Commissioners or the Public Works Department, Ireland, or in any other way, at the 31st of March, 1874. The whole amount was then £12,741,000; but, according to the last Finance Accounts, this had reached, on the 31st of March, 1877, £22,870,000—an increase in three years of £10,129,000. The President of the Local Government Board told us the other day, that this had been further increased by £4,000,000 in nine months; and the House is now asked to add £6,800,000 during the next year. I cannot but describe this state of things as extremely serious. It is evident that we have increased these loans by £15,000,000 since the present Government came into power, and the rate of increase is now £5,000,000 or £6,000,000 a-year — that is to say, far more than the nominal reduction of the National Debt. Nothing startled me so much as the short speech I heard on the night of the Budget from my hon. Friend the Member for Birmingham (Mr. Chamberlain). Some remark had been made by the Chancellor of the Exchequer about loans to the town of Birmingham. I think he said that Birmingham had got something like £1,000,000 last year, and wanted another £1,000,000 this; and the hon. Member spoke as if Birmingham had a sort of right to this advance, if she gave good security. Birmingham contains some 400,000 inhabitants. In two years, then, £5 a-head is to be lent to Birmingham. The United Kingdom contains about 32,000,000 people. If other parts of the Kingdom had the financial aptitude which my hon. Friend (Mr. Chamberlain) has shown in Birmingham, what would be thought of demands during the next few years, say, for £160,000,000? I hope, ere long, the Chancellor of the Exchequer will have the courage to bring down to the House some proposal by which this money-lending system will be checked. He alluded the other day to the large amount of the Education Loans for which he wished to make the late Government responsible. Now, the entire amount which they had proposed to lend was estimated at between £2,000,000 and £3,000,000, and before they left Office all that they had engaged to advance was £1,714,000. During the three years from 1874 to 1877, this has been increased to £8,265,000; and I must protest against the idea that the Government have not absolute discretion as to the aggregate amount they will sanction in each year. This year, however, I observe that only £1,063,000 is to be granted for school loans. The Sanitary Item, on the other hand, is yearly becoming more serious, and accounts for £5,000,000 in 1878. In fact, unless something is done promptly to limit these loans, Government will become, before long, a great money-lending institution for all purposes which can be pretended to be of public utility. The National Debt will steadily increase —indeed, this year 1878-9, the increase cannot be estimated at less than £3,000,000. I acquit the Chancellor of the Exchequer of any blame in this matter; but I cannot acquit those who have made popularity for the present Government out of the system. There is one aspect of the matter which the House must consider before long—that is, the absolute certainty that when these debates are forgotten, claims will be made on the Government to remit a large proportion of these loans. They are made for terms of 30, and even 50 years; and the succeeding generation will plead that they were not the borrowers, that the transactions were improvident and unjustifiable; and good-natured Governments, wanting political support, will be ready to lend an ear to pleas of this kind. A Bill is at this moment on the Table of the House, containing a proposal to remit one of these loans contracted not so long ago. Will the House allow me to read the reasons assigned for this remission? A Commissioner was appointed to examine the works, and he reported that—

> "In certain events they would become most valuable; but, having regard to the difficulties of the case, and to the works remaining to be done, it appeared to him that the justice of the case would be met"

by the remission proposed. Why, Sir, such a vague excuse as this might be made in the case of any unsuccessful investment for which a loan had been obtained. The House should remember that, according to the Return which I have quoted, the remissions up to 1874 came to within a trifle of the entire interest paid from the commencement of the system; so that over a long series of years, the Exchequer had lent millions without receiving back anything beyond the principal. I trust that before next year the Chancellor of the Exchequer will come to us with some remedy for this great evil. When I warned him last year, his only reply was that the system was not one of his creation. I repeat the warning, but in no Party spirit, or with any hostile object, and I hope he will so receive it.

Mr. CHARLES LEWIS said, he would not detain the Committee except for a few minutes; but, as he had always taken great interest in the Income Tax, he desired to call attention to one or two matters of great importance in respect to that tax. Before he referred to that, he desired to make a remark with respect to an observation made by the right hon. Gentleman at the commencement of his speech, referring to the unparalleled position in which Her Majesty's Government found themselves, because, when they came into Office, they found a surplus with which they had been so often taunted, and which had been so often thrust down their throats —a surplus which the late Government handed over to the present Government. He did not profess to be a financier; but it seemed to him that the large surplus of the late Government must have arisen from their over-taxation. In many years large surpluses arose from unnecessary taxes. During the last three or four years of the late Government, the Income Tax was renewed, at higher rates than was necessary, year after year. In consequence of the excessive Estimates made out, they had this desirable surplus; but it seemed to him that the taxpayer should be reminded that these surpluses were not matter for undivided satisfaction, but showed that unnecessary taxation had been levied in order to raise them. The Chancellor of the Exchequer had frequently been found fault with as to the leanness of his Estimates, and the close approximation between Income and Expenditure; and, if he might be permitted to make the remark, he would thank him, because it did appear to him to be a bad system to take out of the people £2,000,000 or £3,000,000 a-year that was not required. That was not an operation that was entitled to be regarded with satisfaction, and it seemed to him that a Chancellor of the Exchequer was entitled to more credit who was opposed to unnecessary taxation being levied. He regretted to say, on this occasion, with reference to the Income Tax, that he humbly concurred in a great deal that had been said by the right hon. Gentleman who had just sat down. He had never hesitated, when he stood alone, of protesting against the practice being pursued of adding to, instead of diminishing, the inequalities of that tax; and he could not help saying that the recent act of the Chancellor of the Exchequer to increase the line of exemption was most unfortunate. It was one of those evil birds that would come home to roost. If the Chancellor of the Exchequer thought the Income Tax agitation was an expiring thing, he would surely find that the Income Tax agitation would come up with increased force, when the rate of the tax substantially increased. They had heard from the right hon. Gentleman who had just spoken, that there were not less than 500,000 persons who had been entirely exempted from Income Tax under the recent arrangement. They had been told by Her Majesty's Government, and by a large majority of the House who had voted on the subject, that the country was in a state of great national emergency, and that, in the crisis the country was going through, it was necessary to make increased Expenditure to meet that emergency. It was serious that the Chancellor of the Exchequer should have exempted from that operation no less than 500,000 of fellow-subjects who, *primâ facie*, were in a position to give contributions to the national emergency. The extension of the line of exemption was, he conceived, most delusive, and likely to lead to most disastrous results. He did not say for a moment that the Chancellor of the Exchequer had any indirect motive in view; but if he made further exemptions, when increasing the tax, that was a system which must end in confiscation sooner or later. If the Income Tax were to become part of the system of taxation of the country, a real attempt should be made to place this tax on something like an equitable basis—on some basis that should have regard to equity and justice. He saw no justice in saying to a person who had £5,000 in the Funds, producing £150 a-year—"You are so poor a person that we are not entitled to have anything from you," while they went to a small tradesman, who was making a small income by working from morning to night, and took Income Tax from him, because, nominally, he had a larger income. As a Member of that House, he had never allowed the Income Tax to be imposed without protesting against the whole system as one based on injustice, as one that produced fraud, and as a tax, which, at least, in its present form, ought not to take a place in the permanent taxation of the country. What was the position? The Government wanted a sum of money. According to all precedent, they were accustomed to look to the Income Tax, and almost all other suggestions were got rid of by turning to the Income Tax. He, for one, felt that those who sat on the Ministerial side of the House had given to Her Majesty's Government on this great Foreign Question a consistent support, and he did think that they had some right to complain of Her Majesty's Government in having attempted to raise so much by extra taxation during the present year. When the Chancellor of the Exchequer spoke on this matter, he was understood to say that the Vote of Credit would be spread over three years. Practically, it was only spread over two years, and the present year was made to pay the greater part of the burden. The right hon. Gentleman who spoke last, asked — "Why did you go to the Income Tax?" He confessed it seemed to him that the legislation of recent years had reduced the House to this position—that, whenever a question of increased taxation arose, the Government looked to the Income Tax, and nothing else. A vast number of articles of luxury had been relieved from taxation. He conceived that it was nothing short of a discredit and a disgrace to this country, that we were actually driven to this state of things—that if the people of the United Kingdom were to become a moderately sober people, the country could not pay its way, except by an enormous increase of the Income Tax. But for the drunkenness and insobriety of the people of the United Kingdom, the country would be in an insolvent position, and would need to have recourse to an enormous Income Tax. He knew the idea would be scouted if they attempted to replace duties on many of the articles which had been relieved. The first thing the Chancellor of the Exchequer did on coming into Office was to give away the Sugar Duty, producing £1,800,000 a-year. He should like to ask the right hon. Gentleman why it was that he had followed the practice of his Predecessors, of reducing the number of sources of Revenue, and, so as regards increased taxation, had left the House very little choice in the matter—instead of retaining an item of Revenue which, he should humbly submit, would have been, in a crisis like this, of the greatest possible advantage. But he sacrificed the duty on articles of consumption, like sugar, the very first thing when he came into Office, diminishing thereby a large amount of the so-called surplus which had been left him by his Predecessor on the other side of the House. When the Government were challenged, as they were now, he would ask the right hon. Gentleman opposite what items of taxation he had left them? That right hon. Member wished the Committee would increase the duties upon spirits. For his part, from inquiries he had made, he confessed that there was a good deal of reason for believing that, if that were done, it would fail in its object, and would not increase the Revenue. For 35 years the Income Tax had been retained, in defiance of all the pledges made by Sir Robert Peel—and, in defiance of all the pledges made by successive Chancellors of the Exchequer, it was continually renewed, notwithstanding its injustice, notwithstanding the inequality of its incidence, and notwithstanding the manifest evils which followed from it. What would be the result in a time of crisis? Suppose the country were to be involved in the horrors of war—the Chancellor of the Exchequer would come down to the House, and ask that the Income Tax might be increased to 1*s*. Was the line of exemption which now existed to be then allowed to stand, or were their burdens to be still further increased? The course which had been pursued already by the extension of the lines of exemption made the evil of the tax still worse. It seemed to him that the Income Tax had been dealt with in a haphazard way, so as to make things pleasant from time to time with regard to the Expenditure, and had never been dealt with in a statesmanlike manner. He knew the difficulty of dealing with the Income Tax; but, again, on behalf of those suffering persons—a vast number of the professional classes, who had no permanent income, and who lived from day to day by the exercise of their abilities, who might be struck down by illness or by family misfortune, and deprived of their living—he must protest against the injustice of levying upon them the same rate as was drawn from those persons who derived their incomes from landed property or money invested on good security. This was one of those inequalities and evils which demanded, and should receive, the attention of statesmen, however difficult a problem it might be to solve. It was one of those evils which they expected statesmen to deal with. What did statesmen live for, if it were not to apply their great intelligence and experience to the removal of such an injustice as this? On the side of the House on which he sat these arguments were not fashionable; but there were many things connected with the Income Tax which were not fashionable. What sense was there—what reason could be given for the way in which farmers, for instance, were assessed to the Income Tax—for assessing the farmer at half his rent? He was made to pay too much or too little. And illustrations could be given from other businesses, to show the grievous inequalities that the tax worked. It would be just as equitable, under the same state of circumstances, to assess the grocer or the wine and spirit merchant at half his rent. They were told, of course, that farmers never made any profits; that the sun never shone for them; that it was always raining; that their cattle were always dying of disease; and that there could be no possible balance at their bankers. That was but one of the inequalities which continually arose; and the fact of the injustice was admitted, for when Sir Robert Peel revived the Income Tax in 1840, he expressly stated that it was for a temporary purpose only; and if hon. Members would look through the debates they would find that when these questions were brought up the invariable answer given by successive Chancellors of the Exchequer was—"Oh! the tax is only temporary; it is not intended to be permanent; it is no use dealing with these great questions now; they are too difficult, far too involved, to be dealt with by us." In that way they had been told it was only a temporary tax, and they had been led on from point to point, until now it seemed as hopeless to expect to get rid of the Income Tax as to expect to do without any taxation at all. That was only an additional reason why they should knock louder and louder at the doors of the Government, and endeavour to get some alleviation of the present system. It would be possible to place 20 or 30 illustrations before the House to show the differences in the nature of the income enjoyed by different persons. To take the case of some men who lived practically on an annuity. Numbers of persons lived on the rent of long leaseholds, which, perhaps, had 30 or 40 years to run. There the lease was daily running out, and from day to day those persons were receiving partly interest and partly capital—for the whole sum being received from a leasehold house, by way of rent, the property would be worthless to themselves or their families 30 years after. Yet those persons paid exactly the same amount of taxes as was levied upon an income which remained for ever. What was the case with professional men? He formerly belonged to a Profession where, if a business were sold, however good, or however long established, whether surrendered entirely or an active partner taken, it was absolutely impossible to get more than five years' purchase. Sometimes, even only three years' purchase could be obtained, and five years was the highest possible period. But those persons were taxed upon their incomes—which varied from year to year, which might be very good one year and very bad the next—just as if the income were derived from permanent property. The same thing might be said of the surgeon, of the doctor, and of the artist—the latter might paint a picture for the Exhibition one year which fetched a good price, and another year he might not get a picture into the Exhibition at all. Yet each and all of those persons were laid upon the same Procrustean bed. This was an old story. Over and over again had it been urged upon the Government; it had been dinned into the ears of successive Chancellors of the Exchequer, with the result of being told for the first 20 years that it was only a temporary tax, and, therefore, it need not be touched; and, since that period, that having existed so long, the matter was too difficult to be dealt with. What would be the result if, as in the case of the Crimean War, 1*s.* 6*d.* in the pound were raised from the Income Tax? The middle and professional classes would be grievously oppressed, while many would be exempt from almost any taxation at all. An undue advantage was granted to those possessed of large resources derived from permanent property, who ought justly to be made to pay a larger proportion than those classes he had mentioned. He raised his voice, humble and feeble as it was, against this injustice, because, as an independent supporter of Her Majesty's Government, he had some concern for their reputation in this matter. Just before Her Majesty's Government came into Office there were two competitors for public favour—one issued a long address, the other a very short one. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone), who issued a very long address, stated that it was his policy to get rid of the Income Tax. In his short address, the noble Lord now at the head of Her Majesty's Government said that it had always been the policy of the Conservative Party to get rid of the Income Tax. In the first Session of the New Parliament the Prime Minister was reminded by him of his promises with regard to the Income Tax. Since that time he had not ceased to remind him; and, whether it was palatable or not, he would, on the part of a vast number of payers of Income Tax in this country, go on reminding him of his pledge. He would continue to tell Chancellors of the Exchequer that the tax had not been fairly dealt with by successive Ministries, and that it was fully time to consider its inequalities. Ought they, in a state of great national emergency, to levy the money required from the great body of the people, or, practically, from a small and narrow circle?—for that was the result which immediately followed from the legislation of Her Majesty's Government exempting certain classes from the operations of the Income Tax altogether. On taking up this ground he was not inconsistent, for when the exemption was proposed two years ago he voted against it. His belief was, that the system of exemption was a system of delusion—to make things pleasant for those who had to pay. At the same time, one of the great evils of the Income Tax, as he had always maintained, was the inducement that it gave to Ministries to become wasteful and extravagant, while it put an unnecessary check upon the patriotism of the people. During the last two years one of the greatest difficulties with which Her Majesty's Government had had to deal had arisen from this. In this way, he meant—take the case of two men going home to their out-of-town residences; one would say to his neighbour — "Jones, if you vote for war, it means just a 1*s.* 6*d.* Income Tax." Now, Jones had but a moderate income, and he had five daughters to dress, so he went to a Radical meeting in the evening and signed a Petition in favour of neutrality. That was one side of the question. The other was, that so long as Chancellors of the Exchequer, at any time of deficiency in the finances of the country, could raise so large a sum of money by one or two turns of the Income Tax screw, so long did the country give up one of the greatest checks against wasteful and extravagant expenditure. For that reason, also, he attacked the Income Tax, and not only because he believed it was even more unfair now to what it was during the time of Sir Robert Peel; but it was because he thought any continuance of the system under which the Income Tax had been used and altered by Her Majesty's Government was likely to be injurious to them as a Ministry, and to the Party to which he belonged, that he strenuously urged upon the Government not to proceed further in the course they had adopted, but so to alter the system and deal fairly and honestly with the Income Tax as would produce an equitable distribution of taxation amongst the various classes of society.

Mr. W. HOLMS said, that the actual receipts last year amounted to £617,000 beyond the expenditure. But when they compared the way in which the Revenue of last year was raised with the mode in which it had been levied in previous years, he thought there were some features that were of an extremely unsatisfactory character. They had been accustomed to regard the amount of Revenue derived from Customs and Excise as a kind of barometer of the progress and prosperity of the country generally, or the reverse. He found last year—1876-7—the amount derived from Customs was £19,922,000, whereas in 1877-8 it was £19,969,000; there was, thus, an apparent increase of £47,000. But they had been told by the Chancellor of the Exchequer that, owing to an anticipated increase in taxation, some of the Customs rose to the exceptional amount of £150,000 during the last week of the financial year. Therefore, they had to deduct £47,000 from £180,000, and it could be then seen that the Customs, in reality, produced £103,000 less than in the preceding year. This was in very striking contrast to the continued increase in the Customs duties in the five years previously. Taking the five years before 1876, there was in each of them an average increase of £800,000. When they came to look at the Excise, matters would be found still worse. In 1876-7, the amount raised was £27,736,000; while last year it was £27,464,000, showing a falling off of £272,000; but, as during the last week of the financial year, owing to the anticipated increase in the rate of taxation, no less than £200,000 more than usual was paid into the Exchequer, there was an actual decrease of £472,000. That was a marked contrast to the preceding years, for in the five years before 1876 there had been an annual increase of something over £1,000,000. In 1872 the Revenue, to use the expression of the hon. Member for Greenwich advanced "by leaps and bounds," and there was an actual increase of

£2,000,000. If the Customs and Excise were taken together, what was the position? They amounted, in 1876-7, to £47,658,000; and last year they fell to £47,433,000, being an actual decrease of no less than £225,000. Adding to that £350,000, received during the last week of the financial year on account of the anticipated rise in the duties, the actual decrease would be found to be £575,000. That state of things called for the gravest consideration, when it was compared with the steady increase going on for many years before. In his opinion, these facts pointed to the lightening the burdens of taxation on all the necessaries of life. It also behoved them to look out for some other tax to supply the deficiency. There was no difficulty in finding one. Stamps, for instance, yielded £10,956,000 in the past year, as compared with £10,890,000 in the preceding year, being an increase of £66,000; and, under the head of Stamps, there had been a remission during the last 10 years of taxes amounting to £1,321,000, while the Revenue from them had increased by £1,738,000. It must also be remembered that under the head of Stamps, Legacy and Succession Duties were included, and he saw no reason why they could not apply the same principle to real estate as to personal property. Some suggestions had been made with regard to the Budget of the Chancellor of the Exchequer for increasing the duty on spirits; he was glad the Chancellor of the Exchequer did not make any such proposal, for if he had done so both Irish and Scotch Members would have asked for an increased duty on malt. Then, the next demand would have been for an increased duty on wine. It was well known that there was at present the greatest difficulty in concluding Commercial Treaties with wine-growing countries, owing to the high duties imposed on wine; and he thought the Committee generally would agree with him that, on the whole, the Budget of the Chancellor of the Exchequer was by no means unfair. It was perfectly true, that during the 15 years preceding 1856, no additional duty had been imposed upon articles of consumption; but so great had been the increase in the consumption that, notwithstanding remissions of taxation, a much larger Revenue had been derived from those sources, and the Government had been enabled, from time to time, to make very large reductions in the general taxation of the country. In fact, during those 15 years, no less a reduction had been made than £27,085,000. He desired to call the attention of the Committee to the way in which those remissions had been made. There had been a diminution of taxation on articles consumed by the working classes to the extent of £7,000,000; while articles consumed by the upper and middle classes had received a reduction of £19,000,000. Of course, a great amount of direct taxation had been diminished, while an increased amount of indirect taxation had been levied. As a rule, direct taxation was paid by the upper and middle classes, while indirect taxation was usually borne by the working and lower classes. It had been acknowledged by the Chancellor of the Exchequer last year in that House that this change had taken place. He said—

> "That about 15 years ago the direct taxes were 35 per cent of the whole amount paid. They were now about 30 per cent. The indirect taxes then were 65 per cent, and were now 70 per cent."—[3 *Hansard*, ccxxxiii. 1486.]

At the same time, the right hon. Gentleman, with very great clearness, said that as a set-off to the increased proportion paid by indirect taxation, the Income Tax was liable to be imposed to meet emergencies. In all that had been said by the hon. Member for Londonderry (Mr. Charles Lewis), as to the desirability of revising the incidence of the Income Tax, he concurred; but he ventured to say that so long as they had the Income Tax it ought to be used in cases of emergency like the present; otherwise, the greatest injustice would be done to the working classes, who would have to bear more than their fair proportion of the burdens imposed. It had been argued by the right hon. Member for Pontefract (Mr. Childers) that 2*d.* in the pound was too much increase to put on the Income Tax; but he would remind the Committee that the Income Tax had been, for 12 years, at least, out of the last 20 years, over 5*d.* in the pound. Let them, for the moment, consider the effect of the proposals of the Chancellor of the Exchequer. He proposed to raise £3,000,000 sterling during the year from the Income Tax, and £750,000 from tobacco. The £3,000,000 would be paid by the upper and middle classes; but of the £750,000, about one-half would be paid by the working classes, and the other by the middle classes. Therefore, the upper and middle classes would be taxed to the extent of £3,375,000, while the working classes would have an additional burden imposed upon them of £375,000. That, in his opinion, was a fair arrangement, and it would go far to bring back the proportion of direct and indirect taxation to what they were 15 years ago, although it did not quite make the proportion what it then was. For his own part, therefore, he considered the Budget fairly satisfactory, and thought that the Chancellor of the Exchequer had gone as far as he could in a direction that was fair and reasonable.

Mr. SAMPSON LLOYD wished to remind the right hon. Gentleman the Member for Pontefract (Mr. Childers) that the surplus left by the late Government had been applied to the remission of taxation and the relief of local burdens, and the result seemed to him (Mr. Sampson Lloyd) most satisfactory. With regard to the Expenditure on the Army and Navy, that had been applied with the view of increasing the efficiency of those Services. He believed the result to have been that they now had a much more contented Army and a much more efficient Navy than before; while the number of ships afloat, or in process of completion, and the quantities of stores and equipments in their Dockyards, was a matter on which, at a time like the present, the country might congratulate itself. If hon. Members took the trouble to go fully into these items, they would find that the money expended by Her Majesty's Government had been fairly and satisfactorily accounted for; and that not only had they refrained from what could be charged as waste, but they had merely responded to the wishes of the nation. The hon. Member for Londonderry (Mr. Charles Lewis) had, in the speech he had recently made to the House, said some things with which he (Mr. Sampson Lloyd) concurred, and some with which he totally disagreed. He entirely disagreed with the hon. Gentleman in condemning the policy pursued by Her Majesty's Government in relieving the poorer class of taxpayers from the incidence of the Income Tax. For his own part, he considered that that was a perfectly sound and wise policy, especially when he remembered how much, in proportion to their means, this particular class were in the habit of paying in the shape of indirect taxation. In saying this, he was speaking not only of the working man, but also of those who were employed as clerks, and so on, and whose incomes were only of very moderate dimensions. Although the late Government promised to abolish this tax, they had given no indication of how they intended to do this, and the remedy might, possibly, have been worse than the disease. And if the present Government had put on an extra 1*d.* in 1876, it should be remembered that they previously took 1*d.* off in 1874. Then, again, the hon. Gentleman had said something about the course pursued by the Government in relieving the rich man's horse at the expense of the poor man's dog. This, however, was hardly a fair way of putting it; because when the Horse Tax was remitted there were at least three horses belonging to the poorer class, as against one race-horse or hunter belonging to a rich man, that felt the relief. In fact, he believed it was essentially a remission, of which one-half, if not two-thirds, went to benefit the poorer class. Without going further into these matters, he should like to say a few words about the Income Tax. He agreed with what had fallen from the hon. Member for Londonderry, to the effect that it would be wisdom and policy, now that the Income Tax had been so greatly increased, that even the most sanguine persons must be convinced there was no hope of its abolition, or even immediate reduction, if the Chancellor of the Exchequer, or the permanent officials under him, or both, would give their minds seriously to the best mode of doing away with the admitted injustice arising from the unequal incidence of this tax, both as regarded taxing annuities for a short term of years at the same rate as perpetuities, and taxing professional incomes at the same rate as incomes from perpetuities based on property, and so forth. He did not believe in the doctrine of *non possumus* as applied to this matter. He was old enough to remember the time when a Minister sitting in that House stated that—"The man must be mad who would propose to repeal the Corn Laws;" and when it was seen that a statement of that kind could be so completely falsified by events, he was sanguine enough to believe that the Chancellor of the Exchequer would, sooner or later, be able to find a way to redress the anomalies which still existed in regard to the Income Tax. At any rate, an approximation to justice was better than no justice at all. He would not refer to the tobacco duty, because that subject would be fully discussed at a later period of the evening; but he might be permitted to make the remark that, in his mind, it was very questionable whether, while an 8*d.* or even a 6*d.* increase of the duty would have produced more Revenue than a 4*d.* increase, it would, at the same time, have cost the consumer any more. Fourpence per lb. meant 1*d.* per quarter lb., or ¼*d.* per ounce, the latter being the quantity usually purchased by the poorer class of persons; and as farthings were not commonly charged, the retail dealer would charge ½*d.* per ounce beyond the previous price, and put the farthing into his own pocket. If the duty had been raised to 6*d.*, he did not think it would have cost the consumer any more, while the Revenue would have benefited to the extent of at least £200,000 or £300,000 a-year. There was another point he should like to mention with regard to the Income Tax. He referred to a grievance that had been alluded to last year, and for which, he regretted to say, no remedy had yet been found. He meant the tyranny and injustice of compelling unwilling persons in the country districts to collect the tax. The oppressive character of this compulsion could scarcely be conceived by those who had not lived in country districts and observed its operation. In the smaller towns there was generally someone to be met with who was glad enough to discharge such an office in addition to his other work for the sake of the small additional emolument it afforded; and in the very large towns the poundage of 1½*d.* was sufficient to remunerate a collector for the work he had to perform, because of the large sums he was enabled to get in; but in some of the rural and suburban districts in the vicinity of large towns, where the houses were numerous but scattered and the collector had long distances to go, the compulsion referred to operated, in numerous cases, as a very great hardship. In some instances very many small sums were collected by the unfortunate collector, from 6*d.* to £2 and £5. How was it possible that he could be remunerated for his trouble and loss of time? He might be a hardworking tradesman, who had to attend to his own business for 14 hours a-day, and who could ill afford the time necessary for the performance of his compulsory duties; but if he refused to perform them he was fined £20, a fine which there was great difficulty in getting remitted. He might mention a number of cases. He knew of one in which a gentleman was associated with a colleague who could neither read nor write; of another in which an English gentleman living in Wales, and who could not speak a word of Welsh, had to collect the tax from Welsh-speaking people over a district consisting of six miles of bog and mountain. In another case a gentleman was called upon to pay £300 for taxes that he had not got in. Again, he had heard of a manager of a large railway who had to pay a man for the discharge of the duties, and who was liable, to the extent of some thousands of pounds, if that man should happen to run away. Then there was the case of a collector at Stockton-on-Tees, where the Government had neglected to get the man's sureties' signatures to the bond, so that the sureties not being liable, the Government, instead of putting up with the loss sustained by the collectors default, actually re-assessed the whole amount of the defalcation on the unfortunate taxpayers who had already paid their contribution—a few, who resisted the double charge, having their goods seized. But there was another great injustice arising out of this indefensible system—namely, the power it gave to one tradesman of looking into the affairs of a rival. He could not see why any man should be compelled to do this work more than any other work of the State. The State was rich, and could pay; why, then, should it not find proper persons to discharge these duties? He believed they need not go far to find a remedy. Why should not the Inland Revenue officers do the work, payment being made by fees proportioned to the work done? He knew, from good authority, that they were perfectly competent; all that was needed was a short enactment enabling the districts to be divided for the purposes of collection, and these divisions could be arranged according to convenience, whether they were in the same counties or not. Last year the right hon. Gentleman the Chancellor of the Exchequer had promised that he would look carefully into this matter, with a view of seeing whether a remedy could be applied; but, although 12 months had since elapsed, nothing had been done. The matter was a very simple one, and he earnestly hoped the right hon. Gentleman would not neglect the application of some remedy.

MR. D. DAVIES congratulated the Chancellor of the Exchequer on the fairness of his Budget. He had not agreed with the right hon. Gentleman as to the bill he had presented in the shape of the Vote of Credit; but as that bill had been incurred by the House, he did agree with the Chancellor of the Exchequer as to the mode in which he proposed to pay it. He had had no sympathy with those hon. Members who had voted for the £6,000,000; but now that the debt had to be paid, it would ill become the House to grudge the money. He thought that if there was one thing more mean than another, it was to give an order for an expenditure of money, and then to grumble at having it to pay. He had given his vote against the £6,000,000; but he would not vote against a Budget which he regarded as a very fair one, with the single exception that he should have preferred the 7*s.* 6*d.* to be charged as Dog Tax to have been raised to 10*s.* He hoped that there would be greater care than heretofore in collecting the money. If the proportion were the same throughout the country as it was in the district with which he was acquainted, there must be hundreds of thousands of dogs which were not only a wretched nuisance to the public, but for which the tax was never paid. He believed that a 10*s.* tax would produce as much as the 5*s.* tax did at present; while it would have the effect of ridding the country of something like three-fourths of the dogs. With regard to the Income Tax, he thought it a very good tax. It was a very ready and handy impost, and it fell on those who had the money to pay it; because if people had no incomes they had nothing to pay with, and if they had incomes they, of course, possessed the means of meeting the demand made upon them. He regarded the tax as a very proper one, provided it was properly levied; and he believed it was fairly levied, and in such a way as to injure no vested interests. If a man had £500 a-year in land he could not make it more, and the tax took a certain sum out of that amount, and to that extent it might be considered inconvenient; whereas, if it fell on a man engaged in trade—as had been put by the hon. Member for Londonderry (Mr. Charles Lewis)—he might have to pay £75 out of £1,000, which certainly was a drawback; but then he could exert himself to make it up, while the other man, who had his means tied up, could not do this. There was one thing he wished to suggest, and that was if the country should unfortunately be plunged into war—and he hoped there was not the slightest chance of such a catastrophe—he hoped the Chancellor of the Exchequer would take care that whatever the cost of that war might be the expense should be paid as we went along, and not impose it as a mortgage on the State. Let the country pay the bill fairly and honestly year by year; if it took £30,000,000 or £40,000,000 a-year to fight the Russians let the money be raised, and let the bulk of it fall on the Income Tax. If they were to go to war he, for his part, should not be sorry to see a 2*s.* 6*d.* Income Tax. He knew the feeling abroad at the present moment, and that people were clamouring for war. If anyone asked them why they were to go to war, they could not tell; but, wherever he went, and whoever he saw—whether it was a doctor, or a parson, or anybody else—one and all were clamorous for war. Now, if these people had to pay a 2*s.* 6*d.* Income Tax—he did not care whether it was the doctor or the parson, a small proprietor or a large proprietor—they would soon find out that they had had enough of it, and they would soon get as heartily sick of the cost to which they were put as they now were eager to rush into the fray. If they did go to war, he was afraid it would be a long war. He knew a great deal about Russia and the resources of that country. Those resources were very great, and the Russians could fight at a cheaper rate than the British. They would remain on land, and we on the water, and we should endeavour to starve them; but in doing this we should, to some extent, be starving ourselves. He did not think there would be much bloodshed; we should not attempt to do much with our Army; for, supposing we were to land 100,000 men, what would be the use of such a force against the 500,000 they could bring against us? It would, undoubtedly, be a very costly affair. He hoped the Chancellor of the Exchequer would give heed to his suggestion, and that if we should happen to be at war when he brought in his next Budget, and he wanted £15,000,000 or £20,000,000, he would draw the bill straight away, and cover the whole cost of the year in the one Budget. He did not see anything wrong in resorting to the Income Tax. He believed in the principle of calling upon every class to pay its proportion towards the expenses of the country, because he thought every class was thus directly interested in keeping out or getting out of war. He was willing to give the Government every credit for doing what they could to keep the country out of war; and, upon the whole, he thought that during the recent two nights' debate they had come out of it uncommonly well, and that they on that—the Opposition—side had not made much way against them. He trusted they would continue their efforts to keep the country out of war; but that if they should be dragged into war, let the Chancellor of the Exchequer arrange to pay the bill as we went along. That was all he had to put to the right hon. Gentleman.

Mr. GOLDNEY said, the Chancellor of the Exchequer had so far endeavoured to meet the views of the hon. Gentleman who had just spoken, as was involved in his endeavour to meet the extraordinary expenditure that had been found requisite, by levying the larger part of the amount on the present year. He had regarded the Chairman (Mr. Raikes), and the right hon. Gentleman the Chancellor of the Exchequer on the Budget night, as like two gentlemen in the pillory, with everybody throwing all sorts of heavy figures at them—and it must have been with a feeling of relief that they were able at last to emerge from their position, with an explanation on the part of the right hon. Gentleman that must have been satisfactory to everyone. The right hon. Gentleman opposite (Mr. Childers) had introduced such a mass of figures into his speech that it was almost impossible to follow him, and in some cases he had gone into the topics he had discussed in a manner that was not exactly fair to Her Majesty's Government. He had denounced the large proportion borne by the new direct taxation, as compared with the increase in the indirect taxation, without at all considering that it was the duty of the Chancellor of the Exchequer to see that the taxation he imposed did not affect more onerously than it ought to do the progress of trade throughout the Kingdom, and the general condition of the people. In 1854, at the time of the Crimean War, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) was Chancellor of the Exchequer, and the proportion of Income Tax he imposed as against indirect taxation was five-sixths—that was to say, the direct taxation came to £6,557,000, as against something over £2,000,000 of indirect taxation. In the following year, when Sir George Lewis was Chancellor of the Exchequer, he reversed the process, saying it was absolutely necessary that he should consider the state of the country at the time—his proposition being that there should be no fixed proportion for direct or indirect taxation, but that each must be regulated by the exigencies of the country. He then proposed £3,000,000 of indirect, as against £1,500,000 of direct, taxation. Presuming that the Income Tax was now, as it was stated to be, in excess of the average of a number of years, he was one of those who contested the argument of the hon. Member for Londonderry (Mr. Charles Lewis) with regard to the principle as to fixed property and fluctuating incomes. If they were to apply the Income Tax to fixed property alone, it would have a prejudicial effect on the Revenue. He desired to direct the attention of the Committee to those corporate bodies whose property contributed nothing to the Revenue, either in respect of the Probate or Succession Duties, while they enjoyed all the advantages accruing from such property equally with the rest of the community. He had made a calculation to the effect that, with regard to copyhold estates, the property in England, either by purchase or death, changed ownership, directly or indirectly, once in every 11 years, and that it changed hands by succession something like once in 14½ or 15 years. He believed it was also calculated that within the Metropolis one-fifth in area and more than one-fifth in value of the property was held by corporate bodies. This proportion would give an idea as to the enormous amount of such property there must be in the whole Kingdom. From an actuarial calculation he had had an opportunity of going through about a fortnight ago, it was estimated that the exemptions, owing to the property of corporate bodies not coming under the Succession Duty, amounted to very nearly £5,000,000 per annum. He thought that was a matter which ought to be fairly considered in any Financial Statement, assuming that the taxation of the country would be increased without reference to the difficulties in which they were at present placed. The right hon. Member for Pontefract (Mr. Childers) had made a calculation, showing that in 1873 and 1874 the public expenditure was much less than it was at present; but it should be borne in mind that since that time Parliament, in its wisdom, had determined that there should be a much larger expenditure. They had imposed on the Government the necessity of carrying the Education Act into effect, and charges had also been imposed in consequence of other local burdens. Therefore, this question of the Succession Duty being put on all classes of property throughout the Kingdom ought to be fully and fairly considered. He hoped the Chancellor of the Exchequer would have an opportunity of doing that, although he was aware it required a great deal of courage to grapple with a subject of this sort. He would now direct attention to the subject on which the Committee were really engaged. The Chancellor of the Exchequer proposed to meet the deficit by an increase of taxation in the present year, leaving, however, nearly £1,500,000 to be provided for in future years. As the ships and stores purchased now would be of advantage to next year, he thought they were dealing fairly and honestly by meeting their engagements out of their income at the present time, and leaving nothing over to next year, except that for which next year would have full value received.

Mr. HIBBERT wished to thank the Chancellor of the Exchequer for what he had done with respect to a question on which manufacturers felt very strongly — namely, the allowance in the assessment of Income Tax for depreciation in the value of plant and machinery. As the Income Tax had to be increased it was very fortunate that the right hon. Gentleman had been enabled to bring in a clause to provide what would be an alleviation of a hardship which affected a very large number of persons engaged in manufactures in all parts of the country. He desired, however, to ask the Chancellor of the Exchequer what would be the exact effect of his proposal in point of law? It appeared to him that the clause was entirely of a permissive character. He did not know whether this was the intention of the framer of the clause; but it certainly seemed to be drawn in such a way as to give to the Special Commissioners, who were to be appointed, power either to allow a fair sum for depreciation, or to refuse to allow it. If the clause were intended to be merely permissive, then those who were interested in this question would submit proposals which would have the effect of compelling the Special Commissioners to allow a reasonable sum. He should also like to know whether it was intended to make allowance for depreciation in the case of buildings? In his opinion, it was quite as necessary to make allowance for depreciation of buildings as it was for depreciation of plant and machinery, used in the process of manufacture. He also wished to draw the right hon. Gentleman's attention to another matter upon which a large number of people engaged in trade in Lancashire felt very strongly. In the town which he represented (Oldham), and in various other towns in Lancashire, a great number of joint-stock mills had been erected of late years for manufacturing purposes. These mills had been erected, to a considerable extent, by working men, and by working men's capital, and they were generally worked by Boards of Directors, which were composed principally of men who were engaged in work at other mills during the day, and who met at night to carry on the business of these joint-stock mills. Well, these men were charged Income Tax on the small allowances made to them year by year for looking after these concerns. The hardship arose from the fact that scarcely one of these men was liable to pay Income Tax, because they had not a sufficient amount of income to be assessed directly, but yet they said they were compelled to pay Income Tax. It might be answered that they could appeal if they liked to do so; but it appeared that it was a greater expense to them to lose their day's work and to have to travel three or four miles from home for the purpose of getting back what they had paid, and the consequence was that they paid the Income Tax instead of taking any means of appeal. It might, perhaps, be difficult to meet a case of this kind. There were a number of joint-stock concerns in which the Directors were properly assessed to the Income Tax, and it might be said that it was impracticable to make a difference between them and concerns which were worked by a particular class of persons. Still, he should like to know whether the Chancellor of the Exchequer could see his way to deal with this matter? Upon the general question, he must say he considered that the present expenditure of the country was extremely serious, and that it had been gradually increasing during the past few years. In his judgment, the time would soon arrive when the people of this country would find serious fault with the Government on account of this great increase of expenditure. It might be said—and, indeed, it had been said that night—that many items of expenditure had been increased in consequence of the provisions of Acts of Parliament which had been passed by the late Government, and which had received the general assent of that House. He admitted it was perfectly fair and just for the present Government to say—with reference to the Education Votes, for instance—"We are no more responsible for this increase of taxation than are those who sit on the other side of the House." But when he came to consider the increase in some other branches of expenditure, he must express his opinion that the Government were responsible for it. Take the Army, the Navy, and the Civil Service Estimates. He did not know that any greatly increased number of men were required for the Army this year; and, certainly, there was no addition in the number of men voted for the Navy. For the increase in the Civil Service Estimates he could only see one reason, and it was a reason for which hon. Gentlemen opposite were responsible. He referred, of course, to the large amount which was thrown on the State funds for the relief of local taxation. They were actually paying at least £2,000,000 more than they were three or four years ago for the relief of local burdens. That had been done with the assent of Parliament, and, consequently, Parliament was responsible just as much as the Government was; but he must say it was relieving one very much at the expense of another. They had now so large a sum imposed upon them for purposes of this sort, that he thought it was quite impossible they could ever hope to see the Income Tax abolished. It was entirely owing to the policy of perpetually throwing upon the State expenditure which had much better be borne by the local authorities themselves, that they were launched into this greatly increased expenditure. He could not himself suggest any way of reducing this large amount. It seemed to him to be entirely a matter for the Government to undertake. Unless a determined attempt were made to effect greater economy than they witnessed now, they would find the expenditure increasing year after year, and in the end there would come a strong and a united demand for a great reduction of the expenditure which took place in times of peace. The continued increase of expenditure must add to the difficulties experienced by all classes of persons in carrying on their business transactions successfully, and in meeting their pecuniary engagements.

MR. ORR-EWING observed, with regard to the loans recently made by the Government, that the money was as secure as the National Debt itself. The right hon. Gentleman the Member for Pontefract (Mr. Childers) had alluded to the large sums of money which were devoted to educational purposes. Well, he ventured to think that neither in England nor Scotland would the Acts of Parliament have been carried out in the spirit in which they had been carried out, unless the Government had given to local authorities the power of borrowing money at a low rate of interest, and repayable after a certain number of years. He desired to thank the Chancellor of the Exchequer for exempting collie dogs, which were used by farmers and shepherds in charge of sheep. He wished, however, that the right hon. Gentleman had raised the tax on other dogs to 10*s*., instead of 7*s*. 6*d*. He would suggest that a list of all the dog licences taken out should be placed in the hands of the Superintendents of Police in all counties and boroughs, so that they might have an opportunity, when going their rounds, of ascertaining what dogs were not paying the tax at all. Since the reduction of the Dog Tax in Scotland the number of dogs had been increasing to an enormous extent; many of them were ill-fed and ill-cared for, so they went about the country hunting and killing sheep, to the serious injury of the farmers. He thanked the Chancellor of the Exchequer for his proposal to allow manufacturers, who had balanced their books honestly, to make deductions for the depreciation of their plant and machinery. He feared, however, that the words in the clause would fail to carry out the intention of the right hon. Gentleman, for he agreed with his hon. Friend (Mr. Hibbert) that the wording of the Proviso was very vague. He concurred with his hon. Friend's suggestion, that allowance should be made for the depreciation of buildings. He would point out to the Chancellor of the Exchequer that no provision was made for mine-owners — inasmuch as the value of the plant employed in bringing up the coal and iron was small in comparison with the enormous sums which were expended in sinking the pits. Why should not a coal or an iron-master deduct for depreciation, taking into account the length of time the pit would be required to exhaust the minerals? He regretted the increase of the Income Tax; but, of course, the temptation to increase it was very great. The Chancellor of the Exchequer had, however, one great field which, if properly cultivated, would yield an enormous harvest. He alluded to the duty on the alcoholic drinks consumed by the people of this country. It was admitted that nothing could be more unsatisfactory than the state of our fiscal laws relating to the duty paid on spirits, wines, beer, ale, and porter. They were unequal and unjust to Ireland and to Scotland, and likewise to the countries which supplied us with wine. He wished the right hon. Gentleman had had the courage to grapple with this question. He admitted, indeed, that there were many difficulties in the way; but, at the same time, he held that no difficulties ought to prevent the removal of injustice. He would propose to abolish the Malt Tax and the duties on brewers' licences, and to tax all alcoholic drink, whatever might be its form, according to the quantity of alcohol which it contained. That would be satisfactory to Spain, Portugal, and France, all of which countries complained of the existing system. The system he proposed would, moreover, be just to Ireland and Scotland, and it would bring in a Revenue of something like £36,000,000, more than the Malt Tax yielded. He would like to point out to the Committee the present system of collecting Revenue from those sources. Wine imported into this country below 26 per cent of alcoholic strength paid a duty of 1*s*. per gallon. If the wine had an alcoholic strength of 26 per cent it paid 2*s*. 6*d*. per gallon duty. From 26 to 42 per cent strength there was no increase in the duty charged; but over 42 there was an increase according to the percentage of alcohol contained in the wine; and then they came to proof spirit. But, as a matter of fact, there was no wine imported into this country of a greater alcoholic strength than 42 per cent. It came to this—that supposing wine contained 25·9 per cent of alcohol, it paid 1*s*. per gallon duty; and if it contained 26 per cent, it paid 2*s*. 6*d*.—or, in other words, there was an increase of £150 per cent for an addition of one-tenth of a degree of alcoholic strength. Then the wine-growing countries had, he thought, great reason to complain; because, under the present system, France paid 4*s*. per gallon of proof spirit, and Spain and Portugal paid 6*s*. Proof spirit in Scotland paid a duty of 10*s*. per gallon, while the proof spirit in ale, porter, and beer only paid at the rate of 1*s*. 8*d*. per gallon. Why should an article like whisky be taxed more heavily than ale, beer, and porter? Some hon. Gentlemen argued that whisky or spirit drinking tended to foster immorality, and that whisky was more hurtful than beer. Well, he differed from that, believing that the person who drank beer or porter to excess suffered a great deal more than if he took too much whisky. He objected to the fiscal duties being framed upon any moral principle whatever, and it appeared to him that drinking whisky was no worse than drinking beer. There were no people in the world more peaceful, law-abiding, and industrious than the Scotch, and it was unfair to tax them on the score of morality. What they had to consider in the House was how to get a large Revenue, to maintain the Army, Navy, and other institutions of the country; and it was most unfair and unjust that some of the national beverages should pay to the Revenue six times as much duty as other drinks did. That was a question he thought the Chancellor of the Exchequer ought to have the courage to grapple with—not by raising all duties at once to the amount of that paid on spirits—let the principle be acknowledged, and the Malt Tax be abolished, and the duty paid upon the manufactured article. He hoped the Chancellor of the Exchequer would give some attention to this question, and so arrange the duties as to be fair and just to the wine-growing countries, and to the people of England, Ireland, and Scotland.

Mr. HOPWOOD said, the part of the Budget to which he wished to call attention was rather a humble item. It was the question of the Dog Tax, and the effect that the imposition of an extra duty would have upon a great many of those who possessed four-footed favourites in this country. The Dog Tax was now before them in a new form, for in the old assessed tax days only what he might term the dogs of luxury was taxed. Those dogs were then taxed heavily, and this was so because it was assumed that persons who followed sports in which dogs were used could afford to pay pretty well towards the expenditure of the nation. That had, however, been reversed by the system of seven or eight years ago, by which the tax of 5*s.* had been inaugurated; and what he rose now to protest against was the proposed increase of the tax to 7*s.* 6*d.* He was quite aware that one of his hon. Friends had called "Hear, hear!" and had rather stimulated the suggestion that the tax should be raised from 5*s.* to 10*s.* One of the feelings that had prompted this suggestion was probably that sheep were worried by stray dogs; but he would remind the Committee that stray dogs would not be taxed under the new system. But what he objected to was, that as there was an idea of sport in this country among all classes, and a dog was a possession much delighted in, in many humble households, an endeavour should be made to make the keeping of a dog a luxury to be enjoyed by the rich and not by the poor man—that, from the passing of the Act raising the duty, the House would sign and seal the death-warrant of many humble favourites throughout the Kingdom. He only hoped that if the Act were passed, and if the possessors of dogs were compelled to part with their poor favourites, the former would remember it at the next Election. He believed that the tax would affect people to an extent the Chancellor of the Exchequer hardly realized. But, whether it did or not, he was rather concerned for those who, in poverty, were content to share their merest crust with some pet animal belonging to them. He was speaking for that class which had no organization to protect itself; and here hon. Members sat—rich men, or they were supposed to be such—fixing 7*s.* 6*d.* as the amount of the Dog Tax; and, what was more, fixing a means of collecting the tax which could not be evaded. Hitherto, successive Chancellors of the Exchequer had been content to treat the tax as one to be collected in a perfunctory manner, and not to be followed up too closely, but those who were intrusted with the duty were to collect it as they could. Now, as he understood it, the tax was to be collected thoroughly in the future; it was to be—save us all!—collected by the police. He saw the Home Secretary in his place, and wished to inquire whether that right hon. Gentleman altogether approved of the proposal to cast this duty on the police? If there were one thing they ought to take more care of than another, it was that the police should be felt by the lower class not to be tyrants nor oppressors, and not have cast upon them in these days the additional duty of being vexatious tax-gatherers. The tax-gatherer had been, from the remotest antiquity, the object of hatred and dislike, and now this duty was cast on the police. Let them mark how it would go. A costermonger had his favourite dog—his trusted companion. Hon. Gentlemen thought much of having a four-footed friend, who would lick their hands even while he was being beaten; but who, when something hostile and foreign appeared, would, in their defence, turn upon and rend it. Well, the police went to such a man, and said—"The Chancellor of the Exchequer says we are bound to have 7*s.* 6*d.* from you for your dog; the fact is, we have been bound to collect 5*s.*; it has not been looked after, and now we will look after it in earnest." Costermongers were not the most influential class of men in the world, but they were not powerless. He did not speak of costermongers alone, because the same arguments would apply to any of the poorer classes that hon. Members might think of as they passed in review the different pursuits and callings that men were attached to, of a somewhat roving kind, in which they worked to secure something like a sustenance for themselves, and yet were attended by some such creature as they made the subject of the Resolution before the Committee. He thought it would be the greatest pity; and he asked the Chancellor of the Exchequer whether it was a wise thing to set the police to perform such a duty as this—whether it was the sort of thing to make them popular? He did not believe that, as a rule, the police were popular now. He asked the Government, further, to consider what right the Executive had to order policemen to perform this duty? Policemen were, as he understood the law, not the subjects of a Central Administration, except in a portion of London which was under the jurisdiction of the Metropolitan Commissioners of Police. Go into the City of London, and the Government had, strictly, no right to impose such a duty on the police. He knew that an Act of Parliament could over-ride everything, and would give the same power in this instance as it had in others, and perhaps the same results would follow. It might be said that the object was not only to diminish the number of dogs that might be likely to rend sheep, but also that there was an objection to seeing persons of a low estate having dogs which might be invidious to the neighbouring preserves. The Gun Tax which had been levied operated mainly as against the lower classes, and was, he believed, originally intended to supplement, if not actually to take the place of, the Game Laws. He would not enter upon any controversy upon this point, and would certainly not charge any hon. or right hon. Gentlemen on the opposite side with having been responsible for it; but he could not help saying that the tendency of Parliamentary action seemed to be more and more to assert the rights of game to protection, and so to make legislation in favour of the wealthier as against the poorer classes, who were to be shut out altogether from participation in the sports which so much delighted hon. and right hon. Members of that House at certain periods of the year. He therefore asked for a concession on behalf of the humble favourites of the humblest in the land; and, in doing so, he felt bound to express an opinion that the mode by which the tax was proposed to be levied was a most objectionable one. Further, he ventured to say that an increase of the tax would be equivalent to killing the goose, whose habit it had been to lay eggs of gold. The addition of 2*s.* 6*d.* per dog per annum would gradually, perhaps, but still effectually, reduce the number of dogs to such an extent, that the amount raised by the tax would be smaller than was now derived from the impost of 5*s.* per annum per dog. Much had been said about the horrors of hydrophobia in support of the proposal to increase the Dog Tax; but he was strongly of opinion that the disease was propagated to a much larger extent by pet dogs, who were kept in a state of semi-confinement, than by the class of comparatively worthless dogs, who were the free companions and favourites of persons in the humbler walks of life.

Mr. GREENE said, he supposed the hon. and learned Gentleman who had just addressed the Committee possessed the reputation of being a very learned lawyer, but it was clear that he knew very little of law; for he had suggested that dogs which developed a liking for poaching or for the worrying of sheep might be shot by the persons aggrieved. The hon. and learned Gentleman ought to know that people who thus took the law into their own hands were liable to have actions brought against them by the owners of the dogs. He had himself, on one occasion, caused a dog to be shot; but he was very careful to have it buried at once, in order that in case an action was brought against him, there should be no evidence in its support. If such a circumstance should again arise, he certainly should not retain the hon. and learned Member for Stockport as his counsel. If he had any complaint to make at all of the proposal of the Chancellor of the Exchequer, it was that he had not raised this particular tax to 10*s.* per dog instead of to 7*s.* 6*d.*, for there was no point on which the country was so unanimous as upon the Dog Tax. He sympathized with the men who kept dogs, and made favourites and companions of them, and was not one of those who thought men should not be allowed to keep such animals because they occasionally got into the covers and killed or disturbed the game. Hydrophobia had been made a subject of laughter by people who held that the fear of it was a sort of needless panic; but he could assure the Committee that it was no laughing matter—the cases having been much more numerous of late than some people seemed to think. The hon. and learned Member had made a sort of Election speech in opposition to the increased tax. He had no intention to follow the example, and for one reason, because he thought an Election was a very far-off event; but, even if an Election were close at hand, he should not alter his tone, because he believed the farmers would approve a tax which would relieve them from a part at least of the danger under which they lay of having their sheep worried; and the humbler class of agricultural electors would not be so likely to get their children bitten by stray mongrels. His hon. Friend (Mr. Orr-Ewing) had suggested that beer should be taxed in precisely the same proportion as spirits, and had contended that spirits were just as harmless as beer, adducing Scotland, where the usual beverage was whisky, as a country distinguished by the peaceable and sober character of its people. This might be so; but, as everyone knew, the pulse of a Scotchman, and his physical nature generally, were low and slow, and it was necessary that he should take whisky in order to bring him up to the ordinary heat and level of Englishmen. On the whole, he had no fault to find with the proposals of the Chancellor of the Exchequer, except that the Dog Tax had not been sufficiently increased; and, to some extent, he thought there was weight in the objection that had been raised to the police being employed as tax-collectors. At the same time, the difficulty in collecting the tax as at present assessed was very great, and he thought the new arrangement would, on the whole, work very well.

Mr. MUNTZ disapproved of the proposal to tax dogs after they had reached the age of two months. As a breeder of dogs himself, he knew that it was most difficult to tell at two months which of the dogs in a litter ought to be kept; and he thought the limit ought to be extended to three or four months. He disapproved, also, of the proposal to increase the Income Tax, as, owing to its altered incidence, the burden was much more severely felt than it was some few years ago. As the law at present stood, a person with an assured income from real property or funded money of £300 a-year got relieved from payment of tax upon a considerable part of it; but the struggling tradesman, farmer, or professional man, who had a fluctuative income of £500 a-year, or thereabouts, got no relief at all. He had always objected to the system of exemptions and abatements, because he thought everyone ought to pay the tax according to his means, and because, if it should become necessary to raise a very large sum by means of the Income Tax, the number of those who came within the exemption provisions would create a very large deficiency in the Revenue. With regard to the Excise duties, the policy of successive Governments had been to exempt first one article and then another from taxation; and if the people generally were to follow the advice of his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson), and cease from the use of spirits and beer, there would be very little Excise duty left; so that it would become necessary to raise an additional sum of about £30,000,000 a-year by means of a new system of taxation. He had never been able to understand why a large number of taxable commodities should be entirely freed in this country from impost of any kind, while in other countries they had to bear a portion of the national burdens. A smaller taxation on a particular article might increase the Revenue derived from it by causing a largely increased consumption; but to exempt it from taxation altogether would shut it out as a source of Revenue entirely. He saw no reason why, if the poor man's dog and his tea were to be taxed, a tax should not also be imposed upon the luxuries which were imported into this country for the pleasure of the rich. He would not put a tax upon articles of food or upon raw material so imported; but he maintained that a tax, ranging from 5 to 10 per cent, upon articles of luxury, would bring a large amount of Revenue, and would also leave it to the option of the taxpayers to pay or avoid payment of the impost by using, or refraining from the use of, the luxuries upon which the tax was imposed. As far as the Dog Tax—or, as he would prefer to call it, the Puppy Tax—was concerned, he hoped the Chancellor of the Exchequer would be able to see his way to not imposing the tax upon dogs until they had reached the age of three or four months.

Mr. STORER said, it could not be denied that the farmers of this country made incomes; but, owing to the vicissitudes of the seasons in the last few years, very many of them had been paying tax upon incomes which they had neither earned nor received. This was partly owing to the conduct of the farmers themselves, and partly to the mode of assessment, for many men would rather pay tax upon an income which they had not made than admit to the assessors the fact that they had earned nothing. The presumption now was that a farmer made an income equal to half his rent; but, owing to the very low average of late years, this amount had not been reached; and he thought the justice of the case would be fully met by assessing farmers at a third, instead of half, the amount they paid in the shape of rent, which was the principle now adopted. There might be exceptional cases in which farmers might make incomes amounting to more than half their rent; but, as the principle of the tax was to proceed upon average incomes, he thought it would be much more fair to go upon the third than upon the half. Another reason why this should be done was that, unlike manufacturers, farmers could not claim abatement for the depreciation of their machinery and plant. It was, in his opinion, somewhat hard that manufacturers of grain and beef should not rank in the same category with manufacturers of cloth and bricks. He saw no reason either why Scotch and Irish farmers should enjoy an exemption which was not accorded to English farmers, the first-named class paying only ¾*d.* in the pound, while the latter paid 1*d.* It was notorious that Scotch farmers were the best in the world; and, though the Irish indulged freely their natural love for grumbling, he had little doubt that they made as large profits as found their way into the pockets of English agriculturists. He supposed the practice was a relic of the past, which, with other similar institutions of ancient date, might very well be got rid of. The Irish people were always calling out for assimilation with England, and this was a point on which their desire might very well be gratified. He did not think any sufficient ground had been made out for the exemption of hound puppies from taxation; but he thought the Chancellor of the Exchequer might, without injuring the Revenue, or acting in a way that could lay him open to a charge of unfairness, retain the present limit of age, and not render puppies of less than six months' old liable to taxation.

Mr. MONK agreed with the hon. Member who had spoken last in thinking that the existing limit of age at which dogs should be liable to taxation ought to be retained, and contended that hound puppies ought not to have allowed to them an exemption which was not given to puppies of other breeds. Some remarks had been made as to the destruction of sheep by straying or ownerless dogs, and he agreed that much harm was so done; but he had never heard that puppies of less than six months' old had taken to this form of amusement, and he could not, therefore, see that sheep-worrying would be checked by taxing all dogs of over two months' old. He did not approve the proposal to exempt masters of hounds from taking out licences for puppies under 12 months' old; because it must be well-known that puppies "out at walk," between the ages of six and 12 months, were far less under control than other sporting dogs at that age. In order to test the opinion of the Committee on the subject, he would move that the word "six" be substituted for the word "two," in the Resolution before the Committee. He saw no reason for adopting the compromise of three or four months which had been suggested, especially as the police were to be employed in seeing that the payment of the tax was not evaded. In conclusion, he wished to thank the Chancellor of the Exchequer for the clause which he had inserted in the Customs and Inland Revenue Bill, exempting from duty the licences relating to alterations in ecclesiastical buildings and churchyards.

Amendment proposed, to leave out the word "Two," in order to insert the work "Six."—(*Mr. Monk.*)

Question proposed, "That the word 'Two' stand part of the Resolution."

Mr. ASSHETON said, the Chancellor of the Exchequer looked upon the Dog Tax mainly as a source of Revenue; but he regarded it in the further light of a weapon against the large class of worthless dogs which paid no tax, and did a vast amount of harm by worrying sheep and hunting game. He did not look at the matter exclusively from the game preserver's point of view; but, at the same time, he could not but think that if a man chose to preserve game he had a right to its protection, just as he had to the protection of any other kind of property which he might possess. He saw no reason why a rattling good tax should not be imposed—say, a tax of £1—and why it should not apply to all classes of dogs and hounds alike. Then there was another difficulty about the tax. It was not at all localized. If anybody wanted to know whether he paid the tax for his carriage, he would probably inquire of the nearest collector of taxes where he lived in the country, and perhaps in the town. If neither of them said he took out the licence, in all probability he did not. The same thing could not be done with the Dog Tax, however; and he would suggest that it should be localized and collected like the Carriage Tax. He had thought of suggesting that the police should issue the licences and collect the tax in future, and that they should be allowed 2*s.* in the pound for the collection. He had not seen the Resolutions, but understood there was something of that kind in them. The same persons who issued the taxes would then look after them, and see that they were paid. Another thing he had to say was about an expression, rather frequently used, about "The poor man's dog and the rich man's horse." Well, they were not all rich men that kept horses, and they were not all poor men that kept dogs. The poor man's dog, and the rich man's horse, were, in fact, animals more imaginary than real, and he did not believe in them. There were packs of hounds and sporting dogs and other dogs kept by well-to-do people. These were not "poor men's dogs," and no one could object to their being taxed. There were dogs kept by shepherds, and these were now to be exempt. Then they came to his enemies, who came out of the towns on Sundays with their dogs. He did not think they were people who should have much consideration. When they had taken those classes out of their consideration, what had they left? Notwithstanding these objections, he was grateful to the Chancellor of the Exchequer for having put on an additional half-crown, and should be still more so if he would only put on five more half-crowns.

General Sir GEORGE BALFOUR said, he felt it his duty to protest against the increase to the Dog Tax. For a long time past he, and other Scotch Members, had been grumbling about the 5*s.* Dog Tax, and fighting a battle in Parliament to procure its reduction, and now they were to be rewarded by the Chancellor of the Exchequer putting on the dogs a further tax of 2*s.* 6*d.* If he did not rise and protest against such a proceeding, he could never face his constituents again. And the Chancellor of the Exchequer was not content with putting on that additional 2*s.* 6*d.*, but he taxed dogs before they became dogs — for there was no pretence for saying a puppy was a dog. The Chancellor of the Exchequer had shown himself disposed to make experiments in trying to reduce the burden of local rates, and he thought he ought to have given some assistance to Scotch farmers, who greatly needed relief from the yearly augmenting rates and taxes; instead of which, he had increased the tax on their dogs by 2*s.* 6*d.* Let anyone go among the Scotch farmers and hear their just grumbling against the Gun and Dog Taxes. They had now to depend for many more purposes on dogs, because the children were kept at school, and they generally kept three or four dogs, in order to aid in herding, previously done by the young of both sexes. He feared that the Chancellor of the Exchequer was not acting justly in this matter. He taxed all usefully employed dogs alike, whether puppies or dogs, but he exempted hound-puppies under 12 months' old. He said that was not just. They should apply the same treatment to the rich man's hounds as to the poor farmers' dogs; and, looking at the difference in the means of the two classes, he did not think this proposal of the Chancellor of the Exchequer at all fair. But, in this matter, there was one part of the Kingdom he must complain of particularly, and that was Ireland. In Ireland nearly the same number of dogs were kept as in Scotland; but the Dog Tax there only realized £30,000, or 2*s*. a dog, and that was all the Irish paid. The Government further made different conditions for Ireland to what they did for this country; and he had, on that account, voted with his Irish Friends, because he wished the Parliament to do justice to that country, and until they did justice to Ireland they must expect political and financial difficulties such as they now experienced. There should be but one law for the three parts of the Kingdom in these arrangements. With regard to the Dog Tax, why did they not act towards Scotland in the same way as with regard to Ireland? They laid £33,000 on Irish dogs, or 2*s*. each, and, when they had raised the money, they handed it over to the counties and the towns; and the local authorities, who were thereby subsidized, went on revelling in the dog money, some of which, also, got into the hands of hangers-on of Public Offices in Ireland, or was used in paying clerks' fees, and perhaps as much as 1*s*. per dog was finally handed over in diminution of the local burdens. With regard to Scotland, which had about the same number of dogs as Ireland, they so laid on the tax that the money paid by the farmers of that country was paid into the London Exchequer, and Ireland benefited by the Scotch dog money, in the form of large public grants far in excess of the sums paid to Scotland. He, therefore, said the Chancellor of the Exchequer was not acting fairly between the two countries. He was aware, however, of the present financial position of the Chancellor of the Exchequer. He had allowed the public expenses to run up to such an extent, that it was impossible to adjust the present large Expenditure as it should be adjusted in any other way than by increased taxes. Of course, there was the Income Tax, to which an addition was also to be made; but that did not make things better. If he were told that £81,000,000 of Revenue were required for purposes of Government, he maintained it was not needed if economies which could be effected were enforced. He thought that when so much money was required for Civil, Naval, and Military Establishments, it was absurd to seek to get so small a sum from dogs, and thereby excite feelings of anger in the minds of farmers who usefully employed dogs in their farming operations. He knew that the Chancellor of the Exchequer had no real control over that great Expenditure; but he did submit that until they got the Public Expenditure voted in the first instance, irrespective of any increase to the taxation of the country, it was useless to attempt any reduction whatever in the existing taxes—and now, when the right hon. Gentleman the Chancellor of the Exchequer was asking for more taxes, he was not just to the poor in levying it on useful dogs. The Chancellor of the Exchequer might, of course, ask—What tax would you put in its place? He would say, let him take a portion of the additional Revenue which he could obtain from more strictly enforcing the due payment of licences for the killing of game, instead of increasing the Dog Tax. If he was so poor, let him get an income through the Inland Revenue from the right of selling game, which he might do by requiring all owners of preserves who sold their game to dealers to pay the licence-fee. Year after year, there were extensive evasions going on with regard to Game Licences of all kinds. There was at present a licence to deal in game, and every small dealer paid it; but Lords and others who sold their game were exempted; but there should also be a licence-fee paid on all men employed to watch game. If the right hon. Gentleman put a higher tax on that class of game protectors and watchers, he (Sir George Balfour) was sure the right hon. Gentleman could get a considerable increase to the Revenue; and he had no hesitation in saying, that in other cases—with regard to servants kept for luxury, for instance—if the right hon. Gentleman would levy the taxes in a different way, and at higher rates for those kept for pure objects of show and luxury, there, again, he would find other sources of Income — small, indeed, but enough to enable him to get rid of the tax on usefully-employed dogs. He did most strongly object to this tax on dogs kept for farming operations; and he submitted that there was no part of the community better entitled to be exempted from this taxation than the small farmers of Scotland—a class of people who lived in great moderation, and had great difficulty in carrying on their business. They were very poor, exposed to suffer from bad seasons, and every year they found their taxation and rates increasing; and now they had to meet an additional tax on dogs. And as he knew it was vain to try and prevent this addition, he would conclude by saying that it was with great regret, indeed, he saw that the right hon. Gentleman had increased a tax which was already burdensome and unjust.

Earl PERCY said, he did not intend to dispute with the hon. and gallant Baronet who had just sat down, as to whether puppies were dogs. That was a question of Natural History, upon which he was not prepared to enter; but he thought the hon. and gallant Baronet was rather unjust to the Chancellor of the Exchequer, when he complained of the position in which farmers would be placed by the Bill which he was about to introduce. It might be true, no doubt, that a farmer required more dogs in the pursuit of his calling than would be covered by the exemptions contained in the Bill; but, so far as his experience went, he found that it was not to the fact itself of their having to pay the tax that they objected, but that they had to pay a tax of the same kind and amount as those who kept dogs simply for purposes of pleasure—in the field or in the chase. He thought, however, that was now to a great extent removed by what the Chancellor of the Exchequer proposed to do. There was one probable effect of the Chancellor of the Exchequer's proposals in which he took much interest, and that was the reduction of the number of stray dogs. If he did not hope that stray dogs would be decreased in consequence of the increase of the taxation upon them, he should look on the right hon. Gentleman's proposals with less favour than he did. One point had been touched on by two speakers that evening, on which he wished to make a few remarks, and that was the exemption which the Chancellor of the Exchequer proposed to make in favour of hound-whelps under 12 months. He could see no reason for that exemption, though he was about himself to take a pack of hounds, and he thought they should pay their fair proportion of the tax. In the case of dogs which were kept, no doubt, as a matter of whim, but which yet gave great satisfaction to their owners, and when those owners belonged to the poorer classes, it seemed to him that it was invidious to exempt dogs kept equally for purposes of pleasure, and the property of those who could well afford to pay the small addition proposed by the Chancellor of the Exchequer. He had endeavoured to calculate what the difference would be; and he admitted it was probable that, in many cases, they would have to pay about double the amount they did now; but if there were any real force in the objections to exemptions from this taxation—and he thought there was a great deal of force in them—they applied with still greater force in the case to which he was referring. They applied, as it seemed to him, to the case of dogs used for shooting purposes. He wished to say a word on another point. He had wondered why an exemption had been made in favour of servants employed in racing-stables. It seemed to him that no useful purpose could be gained by that exemption; and he trusted that, when the Bill was before them, it would be given up. He should certainly vote for the exclusion of that clause.

Major NOLAN said, he wished to congratulate the hon. and gallant Baronet the Member for Kincardineshire (Sir George Balfour) on his determination to vote with the Irish Members. He believed that the hon. and gallant Baronet not only voted with Irish Members, but that his vote was always on the side of the people, and on that, also, of good sense and good judgment. He thought, however, he could not have been much in Ireland. He had put a very important point to the Government respecting dogs in Ireland. In Ireland the tax produced between £30,000 and £40,0000; but it must be known to the hon. and gallant Baronet, and he might prove it for himself, that where there was a peasant population, there was nothing they found more useful than their dogs. There was a large peasant population in Ireland; and in that country—and, in fact, wherever that was the case—there was no tax so unpopular as the Dog Tax. There was no country in which a Dog Tax could be so unpopular, and that for the reason that there was a large peasant population. The hon. Member for North Nottinghamshire (Mr. Storer) thought there might be an increased tax on Irish farmers, and other hon. Members opposite thought increased taxes should be placed on Irish cattle. He was sorry those hon. Gentlemen put forward such suggestions; but if they did, they ought not to be surprised to find many Irish Members ranged against them and their constituents. In the North of England, farmers had an enormous advantage from the existence of the coal-fields in that part of the country, as they afforded many outlets for their produce; but Irish farmers had to send their produce to the English markets. They should remember, too, that the Income Tax, when first imposed, was put on in a slight form. Some advantage had been given in that respect; but, on the whole, the balance of taxation was against Ireland. The great tax in their country was six times as much as that paid in Scotland and in England—the tax on spirits—and simply because the common drink of the people in Ireland was more largely alcoholic than it was in England. That was a manifest injustice; and as to the Income Tax, it was smaller in Ireland only because the country was poorer. When they came to look at the amount of Revenue paid by the two countries, they found that poor Ireland came out in her proper proportions, she paying £3,500,000 as spirit duty against £20,000,000 for England, or one-fifth. Everybody knew that England was five times greater than Ireland, notwithstanding what the habits of the people were, and her being a poorer country. He trusted the right hon. Gentleman the Chancellor of the Exchequer would bestow some consideration on those points; and if he would consent to put the duty at 5*s.* a-gallon, he did not think the Income Tax would make so much difference.

Mr. ONSLOW said, he should like to make a few remarks on the Dog Tax. He was reading, lately, *The Life of Pitt,* and he found from it that it was a gentleman named Dent who first introduced the tax. It was first put at 2*s.* 6*d.* on each dog, and Dent always went afterwards by the name of "Dog Dent." In the discussion to which the proposal gave rise, a great deal was said about hydrophobia. It was contended that hydrophobia would be lessened. The same thing was said now; but he did not think it would reduce hydrophobia in this country. On the contrary, he thought it would lead to more dogs roaming about without masters than now. The Chancellor of the Exchequer had agreed to make exceptions in favour of hunting dogs and kennels; but he could see no reason why they should not be taxed equally with other dogs. He did not think either that packs of harriers and beagles should follow a different rule, but that all classes of dogs should be taxed equally. He was quite unable to agree with the suggestion that the tax should be raised to £1 on all dogs. On the contrary, he thought that even 7*s.* 6*d.* was a somewhat high tax. If there were any kind of dog, however, on which a tax of £1 should be levied, he should say it was on those wretched creatures called "ladies' pets;" for, of all nuisances in the shape of dogs, ladies' pets were by far the worst. The hon. Member for Gloucester (Mr. Monk) had, by a subsequent Notice of Motion, declared his opinion that the duty was unjust in the case of dogs under six months old, and there was, no doubt, something to be said in favour of that view; for the tax collector came round and insisted that the licence should be taken out even on the youngest dogs. He thought, however, two months was too short, and six months too long, an exemption, and that dogs should only be taxed when they were three months old. He thought that then anyone could see whether a dog was worth anything or not. To adopt six months would be increasing the opportunities for fraud which at present existed. No doubt, there was an immense deal of fraud going on in collecting the tax on dogs; and whatever the Chancellor of the Exchequer did, he hoped he would see that it was better carried out than in previous years. While his own limit of two months was too short, he hoped he would not agree with the proposal of the hon. Member for Gloucester, for six months was certainly too long.

THE CHANCELLOR OF THE EXCHEQUER said, he did not propose to interfere at any length with the discussion of the general subject of the Budget, as many hon. Members, no doubt, wished to take part in it; but as they had much discussed the question as to dogs, and there was a specific Motion before them respecting dogs, he thought it would conduce to the convenience of the Committee if he spoke on that subject alone, reserving until a later stage what he had to say on other points connected with the Budget. The right hon. Gentleman the Member for Pontefract (Mr. Childers) had asked him on what grounds he had fixed at £100,000 his Estimate of the amount of Revenue which might be expected from this source under the increased duty? The Estimate had not been made haphazard, but had been founded on careful calculation. The actual number of dog licences taken out last year was taken, and was found to be 1,392,000. It was estimated that the number that would be taken out in the ensuing year would be 1,430,000, or 1,450,000, if they included all sources for the year. Deducting from that number 160,000 for farmers' dogs, there remained 1,290,000. A certain number of those would not come into charge immediately, as tickets would not be taken out for them before the 1st of June. A certain number would thus be charged 5*s.*, and thus the number arrived at would be 1,290,000, of which 1,165,000 would be charged 7*s.* 6*d.* The increased duty would probably be £110,000. He did not know that those figures were interesting; but they might serve to show that the Estimate he had given was really an Estimate, and had been arrived at, not by guess, but by calculation. The proposed addition to the tax had, of course, been suggested by a desire to reduce the number of stray dogs, and of dogs doing mischief and escaping taxation. It was not his wish, or the wish of the Government, to have any considerable increase in the tax upon the dog. They felt that it was undesirable to lay a heavy burden upon the dog of the poor man; and that was the reason why they had resisted urgent recommendations to make the duty £1. Seven and sixpence could not, he thought, be considered a very severe tax. Now, in regard to the question of age, he was bound to say that a great many representations had been made to him, not only within that House, but from a large number of persons outside interested in the breeding of dogs, and otherwise affected by the question; and the result was that he had come to the conclusion that it was going too far to lay a burden upon such very young dogs as those of two months' old. No doubt, a very large number of puppies must be expected to die in their early years; but, notwithstanding that, he now thought it better to trust for their money to the improved system of collection they hoped to introduce, rather than to make any alteration in the duty-paying age. By the new regulations proposed to be adopted, by throwing the burden of proof as to the age of a dog upon the owner, and by insisting upon a stricter system of collection, he hoped to be able to put a stop to the evasion of the tax without altering the age from six to two months. As compromises were generally undesirable, the simplest course for him to take would be to accept the Amendment of the hon. Member for Gloucester (Mr. Monk), retaining the age as at present.

LORD RANDOLPH CHURCHILL said, it might be in the recollection of the Chancellor of the Exchequer that not very long ago, when the Dog Tax was 12*s.* 6*d.*, masters of hounds made an arrangement with the authorities which was called "compounding," and under which they paid a lower duty than persons keeping a single dog or two dogs. He was now simply going to put it to the Chancellor of the Exchequer whether he would look into the old system referred to, with the view of seeing whether he could provide that masters of fox-hounds should be at liberty to compound with the Treasury for the duty upon their packs. He had the more assurance in making this appeal, because the Chancellor of the Exchequer represented one of the best sporting counties in the Kingdom—Devonshire—the home of wild sports and of the red deer.

DR. CAMERON contended that the natural corollary of the change of policy which had induced the Chancellor of the Exchequer to consent to the law remaining as it was in respect to young dogs was, that puppy-hounds should not be exempted from the taxation they had at present to bear. It would, indeed, be extraordinary for it to go forth that, in a Budget imposing fresh taxation, the only exemption should be made in favour of those who were wealthy enough to keep packs of hounds. That might seem a very trifling matter; but it was nothing more nor less than close legislation to exempt from taxation the very persons who could best afford to pay it. Unless the right hon. Gentleman gave way on the point, he should consider it his duty to oppose the proposition at a subsequent stage of the Bill.

Mr. PARNELL merely wished to say that he was unable to agree with the Chancellor of the Exchequer in his determination to revert to the old system of making six months the age at which the duty should commence. It had been pointed out by the Chancellor of the Exchequer himself, and by various other Gentlemen, that it was highly desirable to prevent large numbers of useless dogs being kept, and to assist the collectors, as far as possible, in the realization of the tax. To his mind, there were two very excellent reasons for adopting the Chancellor of the Exchequer's original proposition, that the non-paying age should be limited to two months. Now, if they were going to insist upon the collection of the tax in every case, as they did in Ireland, the result would be this—that puppies, instead of being drowned at an early age, when they would feel the process less acutely—[*Laughter*]—he was speaking now in the interests of the dogs themselves—would be deliberately preserved for the six months, in order to see if they were likely to turn out sufficiently valuable to make it worth while paying the tax for them; and, in that way, they would have experiments practised on whole families of dogs that would result in extreme cruelty. To his mind, it was far better that dogs should be drowned when they were young, than that they should be kept for six months simply to ascertain if they were worth paying for. In the interests of the dogs themselves, and in the interests of the Revenue, it was desirable that the Chancellor of the Exchequer should adhere to his original proposition. Now, it had been suggested by several hon. Members that the Dog Tax should be extended to Ireland. But it so happened, that Ireland did at that moment pay a Dog Tax, the only difference being that in that country it went in relief of the county revenue, whereas in England it was contributed to the Imperial Exchequer. In Ireland, the collection, or rather the enforcement, of the tax was entrusted to the police, and, as the result, there was not, as he believed, a single dog in the country that did not pay duty. The police were a body about 15,000 strong, and in many of the districts the men had little else to do than to look after the dogs. It might be objected that the employment of such machinery in England would be too expensive; but, unless they could devise some means of the sort, there was every probability that persons would continue to evade the tax in the future as they had in the past. Irish dogs contributed a far larger amount of Revenue, in proportion, than English dogs; and there was this noteworthy fact in connection with the former, that sheep dogs were not exempt, having to pay a licence of 3*s.* 6*d.* per head.

Mr. WHEELHOUSE asked, whether an exemption ought not to be made in favour of dogs used for leading blind men about?

Mr. MONK thought the Chancellor of the Exchequer had acted very fairly in making the concession asked for by the Amendment; and, by way of re-assuring him, he desired to point out that the loss to the Revenue would be very slight, inasmuch as the exemption would really apply only to puppies born between the 1st of July and the last day of October in each year. The tax would have to be paid twice on dogs born before July before they were a year old.

Lord RANDOLPH CHURCHILL repeated his request that the Chancellor of the Exchequer would look into the "old arrangement," with the view of enabling masters of hounds to compound with the Treasury for the duty on their packs, intimating that unless the right hon. Gentleman gave some assurance that he would do so, he should be obliged to place an Amendment on the Paper.

The CHANCELLOR of the EXCHEQUER: That is a point which I think ought to be discussed, not upon the Resolution before the House, but in Committee. I may say that I have had this question of compounding under my consideration; and, when we get into Committee, I shall be prepared to state my views in reference to it.

MR. O'DONNELL protested against both the theory and the practice of giving increased facilities for the breeding of hounds. If there were one class of dogs more than another which ought to come under pains and disabilities, it was these hounds. Why, he asked, should the Public Revenue be made to suffer in order to provide amusement for a particular class? It should be remembered that this question of encouraging hunting by legislative sanction was on all-fours with that of excessive preservation of game. Gentlemen who liked hunting had a perfect right to indulge in the sport; but they had no right to ask for their amusements special facilities and exemptions, which could only be given at the cost of the Public Exchequer.

MR. BULWER confessed that he was greatly surprised to hear one, who called himself an Irishman, express such sentiments as those uttered by the hon. Member who had just sat down. He had always been led to believe that if there was one sport more congenial than another to an Irishman it was hunting. He did not wish to follow the hon. Member into a disquisition of the merits of hounds compared with other dogs; he simply desired to say that in his experience hunting was an amusement not confined to a class, but shared in by all classes. Without stopping to inquire whether puppies would suffer less in being put to death at two months than at six months, he would suggest to the Chancellor of the Exchequer that in the same way that shops made a reduction for articles taken in a "quantity," he might establish a graduated scale of tax, by which the owners of kennels would not be required to pay the full duty for each dog.

MR. STACPOOLE was perfectly astounded at the observations of the hon. Member for Dungarvan (Mr. O'Donnell). He did not believe there was another Irish Member in the House who would have made use of such language. He did not believe the hon. Gentleman knew anything at all about Ireland. The Irish people were very fond of hunting—all classes of the community joining it; and the last thing in the world they would think of would be to depreciate the sport in any way. He hoped that when the hon. Member for Dungarvan next spoke about Ireland, he would take care that he knew what he was talking about.

MAJOR O'BEIRNE pointed out that hunting was fostered by the farmers of Ireland, because it promoted the breed of horses for which Ireland was so celebrated. If, then, the tax on hounds was increased to such an extent as to interfere with hunting, the breed of horses would become deteriorated, and a great loss of wealth to the country would ensue in the consequent injury to an important branch of trade.

MR. PARNELL thought the remarks of the hon. Member for Dungarvan (Mr. O'Donnell) had been somewhat unfairly interpreted. He (Mr. Parnell) protested against Gentlemen setting themselves up as the only judges of hunting. He had hunted both in England and in Ireland; and it was not until he came to this country, that he saw any craning and road-riding. If English gentlemen would just run over to Meath and Kildare, they would see there some riding to hounds that they had no idea of at present. Now, his hon. Friend (Mr. O'Donnell) did not object—as it seemed to be assumed he did—to hunting, nor to the improvement of the breed of horses; he simply objected to owners of large kennels enjoying facilities and exemptions that were not given to ordinary farmers. He was at a loss himself to see why the owner of a kennel of foxhounds should have his young dogs exempted for 12 months, while another man was compelled to commence his payment of the tax at six months or two months from the date of birth. The hon. Member desired that both English and Irish gentlemen should indulge in their amusements to their hearts' content; he only protested that, because they did so they should be relieved of burdens which were cast upon other persons.

MR. O'DONNELL said, he thought he had been misapprehended. What he complained of was, that an exemption for which he saw no reason was made in favour of masters of hounds, and it was not too much to say that if people liked hunting to hounds they should not object to pay for it.

Mr. STACPOOLE said, the hon. Member (Mr. O'Donnell) did not understand the subject, or he would not persist in his objection. Fox-hound puppies were kept in confinement for a considerable time, to see whether they were worth anything or not, and it would be very hard if a man were asked to pay for them before he knew whether they would be fit for hunting or not.

Question put, and *negatived.*

The word "Six" *inserted.*

Mr. WHITWELL called the attention of the Chancellor of the Exchequer to several matters which he hoped would receive attention in his reply. It would be very desirable if some arrangement could be come to, whereby all taxes would be collected by regularly appointed collectors, so that the duty should not in any case be thrown upon private individuals. By the present system, a curious person could pry into the affairs of his neighbours in many cases; while, on the other hand, there were many persons to whom the office was naturally distasteful. It would be a great public advantage if the system of private collection were done away with. He also wished to draw attention to the mode in which it was proposed to make allowance for the wear and tear of machinery. It appeared to him that the hon. Member for Oldham (Mr. Hibbert) had drawn attention to the subject in a very practical manner, and he trusted that his arguments would be met by the Chancellor of the Exchequer consenting to make the clause upon this subject something more than permissive. In all previous statements of the right hon. Gentleman, there was a subject which he had touched upon, and which it might, therefore, be permissible to refer to on the present occasion. He should feel obliged if the right hon. Gentleman, in the answer which he was about to make to the discussion which had taken place, would state the position of the old and long-continued deficiency in the Savings Bank Funds. He had told them that he hoped to reduce that deficiency by the profits to be made upon the Post Office Savings Bank. At least, the right hon. Gentleman was understood to say so; but, in the large and very comprehensive Statement which he had made, there was no allusion to this point, although it was one in which the country took a very great interest. He hoped they would be informed whether there was any proposal to deal with this deficiency in the present year.

The CHANCELLOR of the EXCHEQUER: I am sorry to say I cannot, off-hand at this moment, state the exact condition of the account with regard to the Savings Bank; but I think I shall be able to show to the hon. Gentleman, that upon the one side the receipts have been greater than the loss upon the other. I believe I am correct in saying, with regard to these receipts of the Post Office, that they are rather more than equivalent to the amount we shall be called upon to pay. We began the discussion this evening with a very able and elaborate speech from the right hon. Gentleman the Member for Pontefract (Mr. Childers); and I wish to say at once, with regard to the greater part of that speech, that I have received it as being by no means a measure of hostile criticism, but as being criticism of a kind which is decidedly valuable to a Chancellor of the Exchequer, and one which, though it finds fault with the Government and blames us with severity for our expenditure in various ways, a Gentleman with his official knowledge of these matters and in his position, does exceedingly good service in bringing forward from time to time. There is, no doubt, a tendency in this country—and, I think, there must necessarily be such a tendency—to increasing expenditure. And, no doubt—I can answer for the Treasury—ever since I have been connected with it, there is a constant struggle upon the part of the officers of the Treasury to keep down the expenditure as far as possible. To a very great extent, I think, their exertions have been successful; and we know we are very unpopular with a great many other Departments, because of the necessity we are under to refuse applications from them for increase of expenditure. But, notwithstanding that, it is necessary, from time to time, to accede to the demands that are made, and which are supported by references to the continually increasing demands of the country. It is impossible not to see that, as the country increases in wealth, in population, and in the demands of civilization, there must be a continual pressure for a larger and larger expenditure.

Any stranger who came to the House, and watched the debates for a short period, even, could not fail to be struck very much with the anxious, and almost painful, desire manifested by Parliament, to promote measures aimed at improving the condition of the people—to promote measures for improving their dwellings and their general sanitary condition, for relieving certain classes from the overwork to which they are subjected, for promoting the education of the people, and for many other reforms which are extremely valuable, and which it is certainly most desirable to introduce. But, after all, when these measures are adopted, it is found that they are attended with one disagreeable consequence — namely, that they involve expense, which expense must, somehow or other, be met. Now, what happens? The first mode of meeting the expense thus arising, is to throw it on the ratepayer. ["No, no!"] Yes, the ratepayer. If any great work is to be undertaken, the first step to be adopted would be, naturally, to throw it on the ratepayers. But, then, it is felt not fair that the ratepayers—who may be only one particular class of the community—should bear the whole cost; and, therefore, in order to relieve the ratepayer, some subvention, in one form or another, is made by the general taxpayer. That is the case in such a matter as education. Education involves a very large expense to the country, and it involves a large and increasing charge upon the taxpayer. But, observe what would be the case if you chose any other course. You throw a certain burden upon the ratepayers; and then, if you did not come to their aid, that burden would be felt to be an enormous one, falling upon a particular class of the inhabitants. How are you to deal with that state of things? You must deal with it by making the outlay fall upon all classes, and making the rates, in one sense, fall upon all classes. Or, would you meet it by making personal property liable to the rates? That is met by a difficulty, and one which cannot be satisfactorily overcome; and, therefore, the simplest, and, as has been thought, the better, mode is adopted, of allowing the general taxpayer to come forward in aid of the ratepayers, upon whom burdens are thus thrown—to aid the ratepayers out of the Central Funds, in order to render that which is a burden upon them by the Central Legislature more tolerable, and to cause the burden to be more fairly met. If you go into the question of what the charges to the ratepayers are since the new system was adopted, you will find that, although, no doubt, large charges are thrown upon the Treasury, still the charges upon the ratepayers have also been added to in certain directions—that new rates have been imposed and new burdens thrown upon them. Therefore, you must be prepared, if you are to pursue this policy upon which we have entered, to do justice to the ratepayer and to give him some help from the Central Government. That may be in the way of subventions, or of loans made at low rates of interest, and made to promote some object which Parliament deemed desirable. In that way, there is, no doubt, a constant tendency to increase the Public Expenditure. Well, the right hon. Gentleman goes into some of these questions, and he says —"You have been adding to your expenses very largely, and you ought not to meet them by adding so considerably to the Income Tax." A large proportion of the increased expenditure arose from causes of a temporary character, and the question just comes to this—were we to throw it upon the Income Tax, or upon the rates? I think it is not very unreasonable, as the Income Tax is spread more equally over persons of the higher and middle class, that we should, on the present occasion, resort to the Income Tax rather than to more widely spread taxes — rather than to those taxes which fall upon a large number of people. That is a point which, I think, ought to be borne in mind. But I think it is a mistake to attempt to lay down rules by which you are to say that expenditure is to be raised in such and such proportion by one kind of tax, and in such and such proportion by another kind of tax. Whenever you have to deal with a demand for increased taxation, you must endeavour to make your taxation in accordance with the circumstances, and with the general view of what the country can and should bear, in such proportion as may seem requisite to meet the justice and the necessity of the case. You must, in such a case, take into consideration the nature of the demand for which you are called upon to provide.

Let me say, in a case like the present, where you have to provide for an increase of taxation, which we may hope may be requisite for only a short period, it is far better that the increase should be met by resorting to the Income Tax in a large measure rather than by reviving old taxes or by increasing largely other taxation. I do not say that, in the event of a large and continued strain being placed upon our resources, we should meet it in this way; and I do not say that we are always to meet every new demand in this way. If we should have to meet a large increase in the demand upon our resources, no doubt we would have to consider this question. But we hope that this is simply a passing exigency, and we hope we have presented a plan sufficient to meet the requirements of a limited time. That is the state of matters with which we undertook to deal, and we chose this plan because we thought it would cause the smallest amount of disturbance and the least inconvenience. That is why we propose to raise the money by increasing the Income Tax. Now, Sir, the right hon. Gentleman has given us certain figures as to the increase in expenditure that has taken place. No doubt, there has been an increase, and there is no desire upon the part of the Government to deny that increase. But I would say, with respect to a good deal of that increase, that it has been of a character which the House and the country entirely approved of, and that if the things had to be done again, they would be done. There can be no doubt about it, that a large portion of the increase to which the right hon. Gentleman referred was in consequence of the enhanced cost of our Army and Navy. He puts the increase about £2,000,000, and I should say it is about that sum, or possibly a little more. You have to consider that this is an increase which has been occasioned, in the first place, because of the necessity we have been placed under, if we would deal fairly with our soldiers, to increase their pay. We found labour increasing in price; and, having reference to the comfort of the soldier, and the means which persons like himself have of gaining a livelihood by their labour in other pursuits—we felt, if you wish to get the class of men you desire, and keep them as servants of the State, that it was fair and right that we should increase the pay of our soldiers. Other measures were taken with a view to the greater efficiency of our Forces. Everyone knows perfectly well the unfortunate tendency of the march of invention at the present day—that it is directed to the discovery of new forms of weapons of war which are of a most costly character. So, too, everybody knows, that it would be impossible for any Government—Conservative or Liberal—to omit to supply the Naval and Military Forces of the country with the best arms and the best description of inventions. This is a very expensive proceeding; but what we have done in this respect, and the nature of the weapons, have been brought under the notice of Parliament at various times, and Parliament has not interposed to prevent the adoption of these discoveries. I can only say that I regret that these matters have led to an increased expenditure; but I do not see that we would have been doing our duty if we had resisted the demand for that expenditure. Then, there is an increase to which reference has been made, of local grants for education, and other local grants. This increase has been £3,500,000. Then, there is an increase, which the right hon. Gentleman does not seem to have sufficiently considered, though it has had some share in bringing up the total amount of the increase. I mean the increase in the charge for the Debt. That charge has added to the Debt about £937,000 since 1873-4. That is partly owing to the introduction of the Sinking Fund, which was for the redemption of the Debt, and partly owing to those charges which were thrown upon the nation, not by the present Government, but by their Predecessors, in the form of sums that were to be raised for fortifications and sums to be expended upon local barracks. These have been expensive undertakings; but I do not at all say that the sums thereby incurred were not properly spent. At all events, they have been expensive undertakings, which we inherited from our Predecessors, and which we were compelled to carry on. If you take out of the Expenditure the increased charges for the Army and Navy, the charges for Debt, and the charges for those services of education, and the other matters with regard to which the obligations to make local grants have been put upon us by

Parliament—I think if you consider our expenditure, apart from these matters, you will find that not only has there been no increase, but there has actually been a decrease. I am bound to say, however, that, considering the growth of the population, the charges for these Services are not unsatisfactory. I would just say, before I leave this matter, that the increase of the burdens upon the taxpayer do not represent altogether an increase of the burdens of the ratepayer. I see from a statement before me, that the increase which took place in the charges falling upon the ratepayer is very remarkable. In the year 1875-6, the total of the new and nominally unrelieved rates in England amounted to £22,699,000; whereas, in the following year, 1876-7, the amount was £23,617,000; showing a very considerable increase to the amount required to be provided out of the rates. Now, had we not put part of the burdens thrown upon the ratepayers upon the taxpayers, the burden of the ratepayers would have been enormously increased, and that for services undertaken in obedience to the directions of Parliament, and for national purposes. The right hon. Gentleman has made some remarks, which I was so far from quarrelling with, that I felt obliged to him for making them. I allude to his remarks upon the Funded Debt, which had been occasioned by the Government borrowing, in order that they might make loans to localities—a subject upon which I myself made some remarks in a speech delivered some little time ago. I am rather sorry that the right hon. Gentleman condescended, in making that statement, to make some reference to the Sinking Fund—the new system for reducing the National Debt. I thought that was a little petty; because it seems to me that he spoke as if the two matters were connected, and as if we were borrowing with the one hand and paying with the other, whereas there is no connection at all between them. I think it quite right and proper, when we speak of the reduction of the Debt, which is by no means unimportant, that the House should be reminded that another Debt is being run up. I do not wish to conceal it, but will the right hon. Gentleman tell me what possible connection it has with the system of the new Sinking Fund? The system of the new Sinking Fund has been adopted for the purpose of gradually reducing the Funded Debt of the country, and it is operating for that purpose. Then, there is a system which may be good or bad, and which certainly requires to be carefully watched—that of borrowing money to lend again. The system was adopted in this fashion. A locality was called upon to execute certain works for which it was to provide the money, and it was fairly said, on behalf of the locality, that as the Government put this burden upon it they should give it the advantage of their credit, in order that its representatives might borrow money at a rate within their means. That may or may not be a proper system; but it has nothing whatever to do with the Sinking Fund. It is a system which ought to be considered upon its own merits, and that calls for careful criticism and supervision. I candidly admit that it is going further than I was prepared to find it would go. I think it is necessary that some precautions should be taken to prevent it becoming a matter of serious embarrassment. It has grown very rapidly indeed. It began three years ago, and it has been carried on since. It was put into operation in the case of the Education Act. Now, with regard to that Act, there is absolutely no limit placed on the time for which a loan was to be made, or as to the amount to be borrowed; but there is a strict provision in the Act that the rate should be 3½ per cent, and there was no power to make any alteration in that. In the case of the Sanitary Act, there is a clause providing that 3½ per cent, or such rate as will secure the Exchequer from loss, shall be charged. I think it will be necessary that some precaution should be taken, seeing the way in which these loans are advancing, in order to enable the Exchequer to secure itself against the risk of loss. With respect to the Education Grant, I may say that the education arrears have been pretty nearly wiped out. Perhaps, in a year or so, we shall have raised or lent out as much money as will be necessary for the purpose of carrying out school extension throughout the country. But, then, you will have the regular increase which, of course, is expected to go on as the population increases. I have endeavoured to bring about an arrangement between the Public Works Loan Commissioners, who have rendered us most valuable services in this matter, and the Education Department. I think the arrangement that has been made may, to a certain extent, restrain some of the more improvident loans which we have lately been making under that system. No doubt, the Education Department will naturally desire to carry on and promote the work of education, and they have pressed for loans to be made on terms which certainly appear to be unremunerative to the Exchequer; but I hope that has, to some extent, been checked, and that loans will not be made in the future as they have been in the past. With respect to the point I mentioned the other day—namely, the disadvantage we have from the interest not being taken till the end of the year—that is a matter we propose to correct. No legislation will be required on the subject, as it can be done by Orders which will be given. But, then, when we come to the question of the sanitary advances and the advances for artizans' dwellings, there is no doubt that those are a very serious burden, and it will be necessary that regulations should be laid down by the Treasury which may place some limit upon these loans. That is a matter we are now considering; and I think there will be no great difficulty in devising such regulations, subject, of course, to it being said that we are, to some extent, hindering the development of good work. We cannot help that, for we must really take care that the Exchequer is properly protected in this matter. I think it will be possible, by limiting the amount that is to be advanced, to throw these bodies upon the use of that Act, which we passed a year or two ago, for the express purpose of relieving the Treasury and certain local authorities. I should like to say this also—that, when we have passed the new County Government Bill, there will be a great facility given to the county authorities to borrow for the purposes mentioned, without coming to the Treasury; and that, I think, will be a great advantage, and will relieve the Treasury of some of the calls that are now made upon the Public Works Loan Commissioners. The right hon. Gentleman made a good many remarks upon the impropriety of our raising so much additional Revenue by means of the Income Tax, especially when the basis of that tax has been narrowed by its falling upon a smaller number of persons. I thought at the time—and I think now—that the alteration we made in extending the exemptions was a very right and proper one. I thought so, not merely upon grounds of what are called humanity and philanthropy, but because it really makes the working of the tax a great deal easier. [Mr. GOSCHEN: Hear, hear!] But I quite admit that the making the tax easier renders it important that we should be more careful in the application of it. That I do not for a moment deny. At the same time, I would point out that, when we are taken to task for raising a large proportion of additional taxation by means of the Income Tax, at a time when we consider that an emergency has arisen, making it necessary for us to make an appeal to the country, it must be borne in mind that some years ago it was the habit of our Predecessors—and especially of my right hon. Friend the Member for Greenwich (Mr. Gladstone)—to make large and frequent additions to the Income Tax, not to meet a national emergency, but for the purpose of taking off indirect taxation; and I think that if it is justifiable on the part of one Minister to raise the Income Tax to 10*d.*, 1*s.*, and larger sums in the pound, for the purpose of taking off indirect taxation, it can hardly be very wrong for another Minister, when it is necessary, for national purposes, to raise a certain sum, to raise a considerable proportion of it by the Income Tax, rather than by having recourse again to indirect taxation. There is no doubt that if we are to raise any very large sum by indirect taxation, it will be necessary to consider whether we should not revive some of the old taxes which have been taken off; and I wish distinctly to say that I see no reason why that course should be considered to be absolutely out of the question. I do not think it ought to be taken for a merely temporary emergency, as great inconvenience must necessarily attend it. Therefore, I think we do better and more wisely by making an arrangement, for what we believe to be a temporary demand, in a manner which, upon the whole, will cause less disturbance and less inconvenience than any other we could have thought of. There are a good many other matters that have been mentioned in the course of this discussion. I am afraid I can hardly, without wearying the Committee, go through the whole of them; but there are one or two points upon which I think it is right that I should say a few words. The hon. and learned Member for Oldham (Mr. Serjeant Spinks) has spoken upon the question of the depreciation of machinery. I would point out that, of course, that is a question which, like many others that have been mentioned in this discussion, might be more properly considered in the Committee on the Bill when we come to the clauses; but I can at once assure the hon. and learned Gentleman, and others who have spoken on the same point, that the intention is not to make the clause permissive, but to make it the duty—indeed, the language is such as amounts to a direction to the Commissioners of Inland Revenue to make an allowance for depreciation. It was at first attempted to draw a clause that should lay down something in the nature of a cast-iron rule as to the mode in which depreciation should be ascertained; but it was found so difficult, that, after very careful consideration and discussion with those well acquainted with the subject, it was thought better to leave the matter more elastic, and to enable rules to be laid down according to the circumstances of the case. I am afraid we cannot undertake to extend the same exemption to buildings. That would be going beyond what was contemplated; and I do not think it is possible to go that length. The hon. and learned Gentleman has also spoken of the tax being taken from persons who are connected with co-operative undertakings, and to whom it is alleged to be a great hardship that they should be put to the trouble of going to get the tax remitted to them. I am afraid that is a difficulty which arises in a great many cases—a difficulty of having to ask for a return of the tax; but I will consider whether anything can be done to meet the case. There was a Question put by the hon. Member for Plymouth (Mr. Sampson Lloyd), and I think, also, by someone else, on the subject of the collection of taxes by private individuals. My hon. Friend has reminded me, that two years ago a deputation waited upon me on this subject, and that I then admitted—as I still admit—that it is a hardship upon private persons in many cases to be compelled to undertake this duty, and I still hope we may be able to relieve them of it. We have been waiting for that which would greatly facilitate the change—I mean the passing of the Valuation Bill; and I should be quite prepared, if that Bill passed, to have the change brought into operation at once. But, even if that should not be so, I have conversed with my friend, the Chairman of the Inland Revenue Board, and I have great hopes we shall be able, in any case, to make an improvement in the next year. I quite admit the grievance; it comes very hardly, indeed, upon many persons—though, on the other hand, I must remind the Committee, as many hon. Members may not be aware of the fact, that when attempts were made in former years to take the collection of the duty into the hands of Government officers, great resistance was offered on the part of some of the present collectors to such a step, and there were many complaints. I do not know that there are any other points upon which I can venture to detain the Committee at the present time. I quite admit that the speech of the right hon. Gentleman the Member for Pontefract (Mr. Childers) has treated of matters that require very serious attention. The increase of Expenditure is a matter of interest to us all, and of painful interest, certainly, to the Chancellor of the Exchequer, who finds himself obliged to provide the funds to meet the increased expenditure. But I can conscientiously say, we have always done the best we could to keep down unnecessary Expenditure, and I do believe that what has taken place has been inevitable. Our efforts will be directed to do what we can to keep a further hold upon the spending Departments. As regards Public Works Loans, that is a matter which is engaging our most serious attention. I by no means wish to stop at merely calling attention to the subject; but I would point out, that the calling attention to it is a very important part of business, because, unless public attention is called to it, and unless the House is aware of what the difficulties are that we have to meet, we shall find ourselves overwhelmed with the claims made by one or another important place for a very good object; we shall always be told that we are defeating the intention of Parliament, and we shall not get support here; but, on the contrary, we shall find that pressure is put upon us. I hope that what has passed will strengthen our hands, and enable us to effect the changes we are endeavouring to bring about.

Mr. GOSCHEN said, the Chancellor of the Exchequer need be under no misapprehension that he was about to detain the Committee for more than a very few minutes. The right hon. Gentleman had just now stated that it was sometimes useful to call public attention to a subject, even though no action were taken; and so, once more, he (Mr. Goschen) begged to call public attention to that which was the prominent point of the Budget—namely, the raising of the greater portion of the additional funds necessary to meet the expenditure by the system of increasing the Income Tax. The Chancellor of the Exchequer had just informed the Committee that by the system of exemptions he had rendered the working of that tax easier. That was precisely the point which was foreseen when those exemptions were made. The Chancellor of the Exchequer had made its imposition so easy, that by turning on the screw of the Income Tax, he was enabled to make the simplest possible Budget by raising £3,000,000 from that source. The Chancellor of the Exchequer had diminished, as his right hon. Friend (Mr. Childers) had stated, by, perhaps, 500,000 persons the number of those who were affected by the tax; and he (Mr. Goschen) recommended the reflection to hon. Members opposite, that by the simple expedient of placing this charge upon a smaller number of persons, the right hon. Gentleman had rendered it infinitely easier to impose the tax. That seemed to him to be a very convenient, but not a very high-principled or very equitable, mode of dealing with finance. He trusted that the Committee would forgive him if he reminded them that on an occasion when they had to discuss great political changes in prospect, he drew attention to the fact that under the new system, with the new constituencies, on every possible occasion when additional money had been required for the purposes of the State, the Income Tax had been resorted to as the easiest way of raising the funds, and that no Chancellor of the Exchequer had attempted by any proportionate increase of indirect taxation to test the patriotism, which he believed existed, of the masses of the country. The Chancellor of the Exchequer had again followed the rather unfortunate precedent of former years. Here was a case where the Government considered that a great emergency existed, and they had to raise large sums of money to provide the means necessary for meeting it; but, instead of appealing to the country at large, they had recourse to the tax, the working of which they had made easier by exempting large masses from its incidence. The result was, that while they raised £3,000,000 increase by direct taxation, not more than £750,000 was derived from indirect. Let him enforce once more the point urged with such ability by the right hon. Member for Pontefract that, looking to the whole financial career of the present Government, seven-eighths of the additional sum required had been raised by the Income Tax, as compared with one-eighth raised by indirect taxation. He had responded to the invitation of the Chancellor of the Exchequer by calling public attention to what he considered to be a matter of serious public importance, a point which had been fully seized by the Conservative Press; for they had also called attention to it, and he believed it was felt by many hon. Members opposite. He must confess that the defence of the Chancellor of the Exchequer of placing on this occasion the burden almost exclusively on the Income Tax had, in his judgment, not been adequate. The right hon. Gentleman had sacrificed to financial and temporary considerations a really great political axiom, and that was that the whole of the country should be made to feel the burden of increased taxation. He would admit the force of the observation of the Chancellor of the Exchequer, that if the demand were simply temporary, the Income Tax furnished a convenient opportunity of raising funds, because it did not disturb trade. He thought that was the best defence which the right hon. Gentleman had offered; but still, it was inadequate, for this reason—that of the 3*d.* which had been imposed, as an addition to the 2*d.* which existed before, they could not, he was afraid, hope that any large portion would be remitted. [Admiral Sir William Edmonstone: 2*d.*] He could assure the hon. and gallant Admiral that it was a

3*d.* Income Tax. ["No!"] He was glad the hon. and gallant Gentleman did not feel it, and that he did not know the difference between an addition to taxes which he paid of from 2*d.* to 5*d.* and 3*d.* to 5*d.* But 3*d.* had been imposed under the auspices of his Friends, who came into Office pledged to diminish the amount of the Income Tax. The hon. Member for Londonderry (Mr. Charles Lewis), in an able speech earlier in the evening, had reminded the Chancellor of the Exchequer that the First Lord of the Treasury (Lord Beaconsfield) said that the Conservative Party were as much pledged as the Liberal Party to the reduction of the Income Tax. [An hon. MEMBER: The remission.] Well, the remission of the Income Tax. He understood the Chancellor of the Exchequer, in answer to that, to offer an argument to prove that the Income Tax was the best tax to resort to when they required an additional income. What a perfect change of front! The Chancellor of the Exchequer cited the example of his right hon. Friend the Member for Greenwich (Mr. Gladstone), under whom he had studied the great lessons of finance. He might also have quoted that of Sir Robert Peel. He said that the right hon. Member for Greenwich increased the Income Tax in order to make remissions of taxation, and that, therefore, it was now fair that the Income Tax should be increased while the indirect taxation was not raised. That was in flagrant opposition to the declarations of the Prime Minister when he came into Office. But he would pass that by. Why did the right hon. Member for Greenwich increase the Income Tax? Was it for the purpose of meeting increased Expenditure? No. It was imposed in order to effect great financial reforms in indirect taxation, and the result of the measures of his right hon. Friend in that direction had been that indirect taxation had yielded immense results. The temporary increase of the Income Tax by his right hon. Friend answered its purpose by making indirect taxation more fruitful than it was before; and, therefore, there was no analogy whatever between the present case and the case cited. He deeply regretted that on this occasion the Chancellor of the Exchequer should have sacrificed a great political principle to the convenience of the moment. They might have to deplore this precedent, which was again set at a time when the popular voice had so much to say in all their Executive and legislative action—namely, that, when a bill was sent in for the nation to pay, as the result of its Executive and legislative action, that bill should have to be discharged by a constantly diminishing number of the taxpayers of the United Kingdom.

THE CHANCELLOR OF THE EXCHEQUER said, he could not allow the statement made by the right hon. Gentleman to pass unchallenged. In reply to an observation from his hon. and gallant Friend behind him (Sir William Edmonstone), the right hon. Gentleman had put it that the present Government had increased the Income Tax from 2*d.* to 5*d.* during its term of Office. Would the right hon. Gentleman be kind enough to tell the Committee at what figure his Government left the Income Tax? The present Government reduced it from 3*d.* to 2*d.*, and had since raised it to 5*d.*; but if statements like that made by the right hon. Gentleman were to go to the country, they would mislead it. The tax was found at 3*d.*; they then reduced it to 2*d.*, and afterwards raised it to 5*d.*; to say that they raised it from 2*d.* to 5*d.*, was a misrepresentation. Why did the right hon. Gentleman say that they had proposed to raise the sum required entirely by indirect taxation? That was a misrepresentation; and, if it was a maxim to raise money in such a case partly by direct and partly by indirect taxation, how long had that been a maxim? And, when it was necessary to raise money thus during the existence of the Government of which the right hon. Gentleman had been a Member, when was recourse had to anything but the Income Tax?

MR. GOSCHEN would be charmed to answer. He did not charge the present Government with anything; he stated that, since 1867, on all occasions recourse had been had to the Income Tax, and the right hon. Gentleman therefore could not say there was any misrepresentation in that. In the next place, the late Government had been covered by the very exception he had laid down—that it had been for a temporary purpose. The tax had been laid on in order to meet the *Alabama* claim. He had admitted that the strongest argument used by the right hon. Gentleman had been with regard to the temporary character of the tax. But, with the steadily increasing expenditure of the present Government, it was not desirable. He did not wish to make a Party attack; speaking against his own Party, he had called attention to the subject during the present Session, and pointed out the political danger of an increase of the Income Tax in a time of national emergency. It was a weak, inconvenient, and inequitable political proceeding. The right hon. Gentleman had said that the Liberal Government had left the tax at 3*d.* Was it a misrepresentation that the Government had reduced it to 2*d.*, and then raised it to 5*d.*? How had they reduced it? By their—the Liberal—surplus. Was there a single Member who denied that? The cash had been in the till—and that was the fairness of the Chancellor of the Exchequer. They—the Ministerialists—had thought the Earl of Beaconsfield intended to reduce the tax. They had been very much mistaken, and Lord Beaconsfield, who had, during the Elections, uncontradicted by the present Chancellor of the Exchequer—[The CHANCELLOR of the EXCHEQUER: I beg your pardon.]—then he had contradicted it; and, even during the Elections, they had had two voices in the Cabinet. This was a most marvellous communication—that, at the time of the Elections, the Chancellor of the Exchequer had gone on a different platform from his Leader's—a most startling communication—he had contradicted the Prime Minister, who had said there would be no Income Tax. Then, the right hon. Gentleman had thought it would be the engine of his financial measures. If it went forth to the country that the Conservative Government had reduced the tax from 3*d.* to 2*d.*, and afterwards increased it to 5*d.*, he hoped the right hon. Gentleman the Chancellor of the Exchequer would make a foot-note to that Statement, saying that they were able to reduce it from 3*d.* to 2*d.*, and to do a great deal more, by the surplus which the Liberal Party had left them.

MR. LAING quite went along with the Chancellor of the Exchequer in what he had said as to the system of local loans by the State being quite apart from the general Sinking Fund. That was not a Debt at all. If the security were good, he was perfectly satisfied with that part of the Statement; but it was very important to keep in view not to allow the amount of Unfunded Debt to become too large. He saw no objection to there being a certain amount of Funded Debt—as £20,000,000 or £30,000,000—represented by assets of that amount. But there was a great danger if that were represented by Unfunded Debt, which might come on them at an inconvenient moment. As to the general Budget, having advocated a moderate amount of Income Tax, and supported the exemptions, he could not concur with the criticisms which had been thrown out. In raising the tax to 5*d.*, they were not exceeding the fair limit in which they had a proper relative adjustment of direct and indirect taxation. To what possible alternative could they resort? They could not tax spirits, or tea, or sugar. The decision of the Government was, on the whole, a wise one.

MR. COURTNEY said, the Paper had been drawn up in a singular way, and contained an obvious misrepresentation. At page 3, the actual Exchequer issues were stated to be £78,900,000, and, afterwards, £82,400,000. Those two statements could not both be right; and it might be said both were wrong, since in one case the additional expenditure was thrown forward, in the other backwards. It was excluded in the comparison of the past year with the year before it, in order to make the past year look better than it was. It was included in comparing the past year with the coming year, in order to make the coming year better than it was. The increase of taxation was not wholly a question of a policy, inasmuch as there was a large deficit, apart from abnormal expenditure. As to the local Debt, the floating Debt of £28,000,000 exposed the Treasury to very great peril in the event of financial crises. The objections to the Dog Tax were so strong, that they must reserve their liberty of action on it when the question was submitted as a clause in the Bill.

THE CHANCELLOR OF THE EXCHEQUER said, that the one sum referred to was that one explained in the expenditure. He had used those figures, because his Statement was concerned with the Vote of Credit.

MR. COURTNEY was quite aware of the reason, but thought that people might be misled by the mistake.

Mr. THOMSON HANKEY confidently asserted, that it might be most injurious to the public interest that any great excess of public money should be lent for public works, whether on funded or unfunded securities. His objection was, that the Government had become first borrowers and then lenders of money. There was no objection to raising money on the floating debt system, because the Chancellor of the Exchequer took advantage of the present state of the country.

Main Question, as amended, put, and *agreed to.*

Resolved, That on and after the first day of June, one thousand eight hundred and seventy-eight, in lieu of the Annual Duty of Five Shillings imposed by the Act of the thirtieth and thirty-first years of Her Majesty's reign, chapter five, there shall be granted and charged the Annual Duty of Seven Shillings and Sixpence for and in respect of every Dog of the age of Six Months or upwards, for which a Licence to keep the same shall be taken out under the said Act, such licence terminating on the thirty-first day of December following the day on which it is granted.

Mr. GORST said, the Chancellor of the Exchequer would not be surprised if the discussion of the increase of the Income Tax should come on at some stages of the Exchequer and Inland Revenue Bill.

Resolution to be reported *To-morrow,* at Two of the clock;

Committee to sit again *To-morrow,* at Two of the clock.

CUSTOMS AND INLAND REVENUE BILL—[Bill 146.]

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Raikes.*)

Sir CHARLES W. DILKE moved—

> "That this House regrets that it should be proposed to raise that portion of the Ways and Means of the year which is to be met out of indirect taxation by increasing the tobacco duties, which are already so high as to cause an enormous amount of smuggling, and so assessed as that the tobacco commonly consumed by the poor is taxed at 500 per cent upon its value, and that commonly consumed by the rich at not more than 5 per cent."

The proposals which he had placed upon the Paper did not contemplate a debate upon the question as to whether the Chancellor of the Exchequer had proposed too large, or not sufficiently large, an amount of indirect, compared with direct, taxation. That was a question wholly apart from the subject which he had raised. In the course of that evening, they had heard it said by the right hon. Gentleman the Member for the City of London (Mr. Goschen), that too large an amount had been thrown upon direct, and too small an amount upon indirect, taxation. He (Sir Charles W. Dilke) did not propose to go into that subject, or discuss the question whether the amount of taxation which the working classes paid rendered it unnecessary or necessary to throw a larger amount upon them. What he said in his Resolution was, that, as a certain proportion of the Revenue of the year had to be obtained out of indirect taxation, the Government had decided to increase the duties on tobacco. Now, in the few remarks he was going to make, he would prove to the House that which he had stated in his Resolution—namely, that there was nothing which was the subject of duty that was so largely smuggled into this country as was tobacco. The smuggling, under the present high tobacco duties, was of so large a scale as to induce the Commissioners of Revenue, in their annual Reports to Parliament, to state that it was perfectly enormous in amount. They had stated that 17,000 lbs. weight of tobacco, which was seized in a single year, was a trifling quantity, and did not in the least represent the total amount smuggled annually. Therefore, the quantity smuggled must be very large indeed. He need hardly point out to the House, that if there were so large an amount of smuggling with the present duties, anything which tended to raise them must lead to an increase of smuggling. Not only was the duty evaded on tobacco coming from Hamburg, Belgium, and the Dutch ports, but there was also a very large amount of half-innocent smuggling by persons coming from Jersey and other places where tobacco was very cheap, and who brought with them a certain quantity for their own consumption—there being no idea in the minds of those persons of defrauding the Revenue. While reminding hon. Members that the amount of smuggling of tobacco was enormous at the present time, he would venture to say that the main portion of his case was with regard to the extraordinary nature of the tobacco tax, as compared with the value of the articles upon which it was raised. He had stated in his Resolution that it ranged from 5 to 500 per cent; but it was fully from 2 per cent to 1,200 or 1,400 per cent. He could name a gentleman who frequently smoked cigars upon which the duty was not 2 per cent. He had investigated cases in which the duty was not 2 per cent, but 5 per cent was a common charge indeed; whereas upon cheap tobacco it was as much as 1,200 or 1,400 per cent. Therefore, he thought that 500 per cent, which he had named, was a moderate figure at which to take it. While speaking on the point of duty, he might incidentally ask the attention of the Chancellor of the Exchequer to a point raised some years ago. In 1863 there were very long debates upon this question, and his friend, Mr. Ayrton, now no longer a Member of that House, made a very elaborate speech upon the tobacco duties, and proposed a Resolution in which he was partially supported by the present Chancellor of the Exchequer. The right hon. Gentleman did not support the statements made by Mr. Ayrton in his speeches; but he did support him so far as the proposal for an investigation was concerned. Up to 1863 the duties were heavier than they were now. As regarded foreign and Continental made cigars—he was not speaking of Havannahs or Manillas—the duties were of a prohibitive kind, and the result was to prohibit the importation of those cigars. But a great change was made in 1863 by the right hon. Gentleman who was now Member for Greenwich (Mr. Gladstone). His proposals were opposed by Mr. Ayrton, and partially opposed by the present Chancellor of the Exchequer, and that in the interests of the manfacturers of cigars in England. Mr. Ayrton tried to show that the trade of the manufacturers of cigars in England would be destroyed if these proposals were passed. But the effect of the changes which were carried out had been to cause a large importation of Continental made cigars. The importation of Continental cigars had increased from almost nothing at all in 1863 to 7,000,000 in 1870, and at the present time it was from 30,000,000 to 36,000,000 every year. Now, these cigars were imported upon a scale of duty which was carefully adjusted by the right hon. Gentleman the Member for Greenwich, the duties being on unmanufactured tobacco 3*s.* 2*d.*, and on cigars 5*s.*, a difference of 1*s.* 10*d.* These duties were carefully arrived at, after much consideration, as being the right amount to be charged to keep the English manufacturer on fair terms with the foreigner. But if the both duties were raised by 4*d.*, as was now proposed by the Chancellor of the Exchequer, although the difference would still be 1*s.* 10*d.*, the difference of proportion would be changed, and that was the matter to which he asked the attention of the right hon. Gentleman. He asked him, quite apart from his Resolution, how it was that he proposed to raise both duties by the same amount? The manufacturers of cigars in England complained that at present they had to pay for the offal, which meant the stalk, or the waste occurring in the process of manufacture; and, at the existing rates of duty, they were only just able to compete with the foreigner. Therefore, why were the rates, which were so carefully laid down in 1863, to be changed now, and in the way proposed? The difference between the duty of 3*s.* 6*d.* a-lb. on unmanufactured cigars and 5*s.* 4*d.* on cigars was, no doubt, still 1*s.* 10*d.*, as arranged in 1863; but, taking the percentage under the present proposals, it would make a difference between 58 per cent and 52½ per cent as under the old rates, this being really 5½ per cent against the English manufacturer, and in favour of the Continental manufacturer. This would seriously damage, if not destroy, the manufacture of cigars in England. Upon that he would ask why it was proposed to increase all the duties by 4*d.*, instead of having a proportionate increase? He would go further, and say that whatever extra charges ought to be thrown on indirect taxation, it could not be worse raised than by increasing the tobacco duties—in the first place, because they were already so immensely high as to cause an enormous amount of smuggling; and, in the second place, because they were so adjusted, as stated in his Resolution, that 5 per cent was paid on the dearer article and 500 on the cheap.

MR. MUNDELLA seconded the Motion, and desired to bear his testimony as to what had been stated by the hon. Member for Chelsea, regarding the incidence of the tax. First, it would affect the English manufacturer. The right hon. Gentleman must know that 4*d.* on the lb. levied on cigars was a great disadvantage to the English manufacturer, who, by the present proposals, would have to pay the same amount upon the raw material from which he made his cigars. There was waste to begin with of from 20 to 35 per cent in the process of manufacture; so that by the present proposals the English manufacturer would have to pay the same duty on 35 per cent of waste as the Continental manufacturer paid on the real article. So that in every way it was handicapping the English manufacturer as against his foreign competitor, and that was a state of things which he did not want to see. Now, as to the incidence of this tax on the poor. The day after the right hon. Gentleman announced his intention to increase the duty, he had a letter from one of his constituents, saying that tobacco had been increased in price ½*d.* per ounce. Therefore, the retailer was charging an increase of 8*d.* per lb., although the Chancellor of the Exchequer had only raised the duty by 4*d.* It was quite true that there were certain lower classes of tobacco on which nearly 1,000 per cent was charged, so that the working man who bought a single 1*d.* worth of tobacco would pay a much heavier tax upon that 1*d.* worth than the gentleman who smoked his 1*s.* cigar. That was really not a fair state of things, and it was neither equitable nor desirable that it should continue to exist. On the imports of foreign cigars there could be no difficulty on the part of the right hon. Gentleman raising the duty so as to give the English manufacturer a fair chance of competing against the foreign makers. The cigar trade was a large and growing trade. No doubt, recent legislation had tended rather to repress that trade and make it as difficult as possible to compete with the foreigner; and if the English manufacturer was to be handicapped in this way by having to pay the same duty on the raw material, in which there was 35 per cent of waste, as the foreigner paid on his manufactured article, all chance of competition was gone. Therefore, he seconded the Resolution of his hon. Friend, and trusted the Chancellor of the Exchequer would see some means of fairly adjusting these taxes.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House regrets that it should be proposed to raise that portion of the Ways and Means of the year which is to be met out of indirect taxation by increasing the Tobacco Duties, which are already so high as to cause an enormous amount of smuggling, and so assessed as that the Tobacco commonly consumed by the poor is taxed at 500 per cent upon its value, and that commonly consumed by the rich at not more than 5 per cent,"—(*Sir Charles W. Dilke,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. WHITWELL desired to say a word on the inequalities of the tax. Tobacco, now taxed 3*s.* 2*d.* per lb., would, by the increase of 4*d.*, have an additional percentage on the value of the tobacco of 100 per cent, while ordinary cigars, costing 4*s.* or 5*s.* per 100, would only be increased 6¾ per cent. To increase the duty by 6*d.* all round on the 4*d.*, 6*d.*, or 1*s.* tobacco, and to only charge the same on tobacco which varied from 5*s.* to 8*s.* in value, made such a discriminate tax upon the tobacco used by the working man, that if the hon. Baronet the Member for Chelsea divided the House on his Resolution, he would support him.

MR. GORST hoped some arrangement might be made to prevent the injustice which would fall on the manufacturers of cigars in England if the suggestions of the Budget were adopted. For many years the English trade had found it almost impossible to compete with the foreigner; and if the manufacturers were to be handicapped in the way proposed by the Chancellor of the Exchequer, it would prevent their competing at all. It was actually proposed to make them pay the same amount on 35 per cent of waste as the foreigner would have to pay on the manufactured article. If the proposals of the Chancellor of the Exchequer were carried out, they would cause the extinction of the cigar trade in England.

SIR RICHARD WALLACE rose to correct a statement made a few days ago by the hon. Baronet the Member for Chelsea, who had said that the tobacco generally used in France, and known by the name of *caporal*, was sold at 6*d.* per lb., whereas the real price of it was 6fr. 25c., which was equivalent to 5*s.* in English money. The only tobacco sold at 6*d.* per lb. was of a very inferior quality, and was called *tabac de cantine*, and was sold only at that price to soldiers and sailors on active service; and some hon. Members had underrated the amount brought in by the Tobacco Tax in France for the year 1872. The amount received from that source had been £8,000,000; and he had been informed that that amount had since been increased upon.

MR. ORR-EWING thought the objection to the tax brought by the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) was not tenable. Great smokers usually bought their tobacco by the pound.

MR. DILLWYN complained, that the tax would fall more heavily on the poor than on the rich, because the lower kinds of tobacco were taxed as heavily as the higher.

MR. SAMUDA did not agree with all the objections raised to the tax; but still, he thought that it would place the English manufacturer of cigars in a worse position. He hoped the Chancellor of the Exchequer would modify his proposals on this point.

MR. FAWCETT said, that from numerous communications he had received, he had no doubt that the British manufacturers of cigars would be greatly injured by the new tax. With regard to the question of direct and indirect taxation, which had been raised—according to the figures given by his hon. Friend (Sir Charles W. Dilke), the lower qualities of tobacco would be taxed at 100 or 200 times more than the expensive cigar smoked by the rich. The objection of his hon. Friend, therefore, was that that particular substance or commodity should be chosen for the increase of duty which was distinguished, above all others, for the inequality of taxation unconnected with indirect taxation. Turning to another subject mentioned in the debate, he wished it to be distinctly understood that he did not at all object to the amount of the additional taxation which the Chancellor of the Exchequer demanded. Instead of that amount being too large, he thought it too small; for he could not resist the fact that all this additional taxation was for national purposes, and had been sanctioned by the majority of Parliament; which, he was bound to assume, represented the majority of the nation. Being demanded by the nation, it ought, in his opinion, to be paid by the nation. The chief objection he had to the proposals of the Chancellor of the Exchequer was, that they did not meet this principle. One-half of those who did not pay Income Tax did not smoke, and the consequence was, that to a national expenditure, demanded by the nation, nearly one-half of the nation would not contribute one single 6*d.* Thus, one of the great safeguards in favour of economy would be removed.

MR. H. SAMUELSON thought that the tobacco manufacturer would, in order to recoup himself for the additional tax, be induced to resort more than before to adulteration, in the shape of the addition of a larger quantity of water. He could not help thinking that the Chancellor of the Exchequer had selected tobacco for taxation with the object of testing the sincerity of some of his warlike supporters in the lower ranks, who would thus have brought home to them the price they would have to pay for their ardour.

MR. D. DAVIES, replying to an observation of another hon. Member (Mr. Orr-Ewing), said, he had never in his life seen a working man buy a pound of tobacco at a time. Usually an ounce only was bought at a time. He (Mr. Davies) thought that a 6*d.* tax would have been better than a 4*d.*

MAJOR NOLAN agreed with the opinion that the tax would fall unfairly on the working classes. Already these classes paid more than their fair share of the public burdens. Besides, the tax was unfair, because those who did not smoke, would escape from contributing to the expenditure of the country.

THE CHANCELLOR OF THE EXCHEQUER thought that a great part of the arguments they had just heard were scarcely consistent with what had been the staple objection urged to the Government proposals during the earlier part of the evening. In the earlier part of the evening they had been told that the Government were wrong in raising so large a portion of the taxation from the Income Tax, for that thus the higher and middle classes would be unfairly burdened. Now, the tobacco tax was condemned; because, under the tax, the poorer classes would be thereby too heavily charged. The remedy proposed for the inequality of the tobacco tax—that cigars should be taxed higher than unmanufactured tobacco—would leave the inequality still. The difference between the price of an Havannah cigar and cigars smoked among the lower classes was very great indeed; and so the inequality would remain, unless they resorted to the plan of an *ad valorem* duty. Objection had been taken to the selection by the Government of the particular sum of 4*d.*; but that figure had appeared to them a reasonable one, as it would come to an imposition of ¼*d.* an ounce, and so would not press very heavily. As to the other question—that precaution should be taken to distinguish between the manufactured cigar and the unmanufactured leaves—it was, of course, right that there should be a difference between the two, in order to put English on the same footing as foreign manufacturers. He very much doubted, however, whether a case had been made out against the present tax of 4*d.* per lb. as dealing unfairly with the native manufacturer. The way the case put itself to him was thus. An English manufacturer purchased, in the first place, 100 lbs. of unmanufactured tobacco. He then had to make as many cigars as he could out of it, and out of the residue a certain portion could be made into snuff; and upon that, if he chose to export it, he got a drawback. Were he not to get this drawback, he would certainly be, owing to the quantity of refuse in the tobacco, at a loss in his competition with the foreign manufacturer. It was necessary that the tax should be fixed sufficiently high to compensate the English manufacturer for the loss which he sustained in having paid duty on the refuse, and whatever else of the tobacco he had bought proved useless. The result was, that, after a great deal of very careful inquiry, he arrived at the conclusion that the increases should be as they now stood. He had gone over these calculations again, and had examined them with a Committee of experts, to ascertain the effect which the addition of 4*d.* per lb. would have upon the position of the English manufacturer. It appeared to him that the difference would be infinitesimal, and would not amount to more than ¾*d.* per lb. That would be too small to make it desirable to put a higher duty on cigars; for, if the duty upon them were raised more in proportion, a protection would be given to the English over the foreign manufacturer. His impression was, that, upon the whole, the English manufacturer was fully protected at present, and that it would be unwise to raise the duty upon cigars. But he would continue to investigate the question, as he did not wish to do any injustice; and if he found, upon further inquiry, that an alteration ought to be made, he would propose it. He thought, however, there would be great difficulty in introducing any new system. The House would, he hoped, maintain the decision at which it arrived the other night, for he was convinced that an increase of the tobacco duty was the best means of doing what they felt they ought to do—namely, to raise a certain amount of the increased expenditure by indirect taxation. As he had before stated, there was great doubt whether an addition to the spirit duties would be financially successful; and that fact, combined with the other reasons he had mentioned, would be sufficient justification for adopting the tax proposed. He thought their proposal was moderate and reasonable, and the best they could suggest under the circumstances.

Question put.

The House *divided:*—Ayes 164; Noes 31: Majority 133.—(Div. List, No. 102.)

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

FRESH WATER FISH PROTECTION BILL—[BILL 131.]

(*Mr. Mundella, Mr. James Duff, Mr. Michael Bass, Mr. Spencer Stanhope.*)

SECOND READING.

Order for Second Reading read.

MR. MUNDELLA said, the object of the Bill was to institute a close season for freshwater fish. It was a further progress in the direction that the House had taken in many measures, such as the protection of wild birds, sea birds, and small birds. The hon. Member for Cambridgeshire, he was informed, would reserve his opposition to the Bill until it was before a Select Committee. Without further remarks, he should move that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Mundella.*)

Mr. ASSHETON CROSS consented to the second reading of the Bill, on the understanding that it should be referred to a Select Committee. Before the Bill came before the Committee, hon. Members would have in their hands the Report of the Fisheries' Inspectors. The Bill would require considerable alteration in Committee, and he did not wish to pledge himself to it as it stood; but, on the principle that there was to be a close time, he had no objection to it.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

MUTINY AND MARINE MUTINY ACTS.

MOTION FOR A SELECT COMMITTEE.

Mr. CAVENDISH BENTINCK moved—

> "That a Select Committee be appointed to examine into the Acts commonly called the Mutiny Act and the Marine Mutiny Act, and into the Law relating to the subject-matters of those Acts, or made in pursuance of such Acts, and to report on any amendments it may be desirable to make therein, and on the form in which legislation on the matters aforesaid should be promoted:"—That the Committee do consist of Twenty-one Members:—Mr. Russell Gurney, Sir William Harcourt, Colonel Loyd Lindsay, Sir Henry Havelock, General Shute, Colonel Mure, Lord Elcho, Viscount Hinchingbrook, Mr. Campbell-Bannerman, Sir Alexander Gordon, Admiral Egerton, Sir Henry Wilmot, Captain Hayter, Mr. Staveley Hill, Mr. Parnell, Mr. Merewether, Major O'Beirne, Mr. John Holms, Lord Charles Beresford, Mr. Herschell, and the Judge Advocate General:—Power to send for persons, papers, and records; Five to be the quorum.

Mr. STACPOOLE did not wish to oppose the appointment of the Committee; but he thought there ought to be some Instructions given to the Committee to consider the propriety of granting an appeal from the decision of a regimental district, or general court martial to the Court of Queen's Bench, except in the case of courts martial held during war time. He begged to move an Amendment to that effect.

Mr. KING-HARMAN moved that the name of the hon. Member for Kerry be added to the Committee.

Mr. SPEAKER said, that it was not now competent for the hon. Member to make the Motion, as it was necessary that Notice should be given of the name proposed to be added to the Committee.

Colonel STANLEY, in answer to the proposed Amendment, drew attention to the extremely wide terms in which the Mutiny Acts were referred to the consideration of the Select Committee. The appeal suggested would introduce an entirely new principle into military law, and no reason for its adoption had been given. Courts martial were, it was true, in some respects opposed to the civil law; but if they exceeded their jurisdiction, the Common Law Courts would interfere. It was further to be remembered, that the decisions of courts martial required confirmation before they could be enforced. He was, on these grounds, of opinion that an ample Reference had been given to the Committee.

Mr. STACPOOLE explained, that the case of Captain Roberts, of the 94th Regiment, who was tried by court martial last year, had drawn his attention to the necessity of a Court of Appeal from the decision of such tribunals; the late right hon. and learned Gentleman the Member for Clare (Sir Colman O'Loghlen), who held the Office of Judge Advocate General, having assured him, had he been in Office, that he would not have approved of the finding, it being, in his opinion, contrary to law and evidence.

Amendment, by leave, *withdrawn.*

Select Committee *appointed* and *nominated.*

CONWAY BRIDGE (COMPOSITION OF DEBT) BILL.

Resolution [April 8] *reported,* and *agreed to:*—Bill *ordered* to be brought in by Sir Henry Selwin-Ibbetson and Mr. Gerard Noel.

Bill *presented,* and read the first time. [Bill 150.]

ORDERS OF THE DAY.

Ordered, That the Government Order of the Day appointed for *To-morrow* be taken at Two of the clock.—(*Sir Henry Selwin-Ibbetson.*)

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, 12*th April*, 1878.

MINUTES.]—PUBLIC BILLS—*Second Reading—Committee negatived*—Bills of Exchange (Acceptance) * (71).

Committee—Report—Factories and Workshops * (57); Local Government Provisional Orders (Bristol, &c.) * (53).

Report—Contagious Diseases (Animals)* (37-76).

Third Reading — Endowed Schools and Hospitals (Scotland) (56); Education (Scotland) * (47), and *passed*.

The House met at Twelve of the clock.

PRIVATE BILLS.

Ordered that Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Easter, be extended to the first day on which the House shall sit after the recess.

ENDOWED SCHOOLS AND HOSPITALS (SCOTLAND) BILL—(No. 56.)

(*The Lord President.*)

THIRD READING. BILL PASSED.

Bill read 3^a (according to Order).

THE DUKE OF RICHMOND AND GORDON said, that since the previous evening he had considered the proposal of the noble Earl opposite (the Earl of Elgin) with reference to the number of Commissioners, and also with reference to striking out the statutory qualifications for Commissioners, leaving an unlimited discretion to the Government in the selection of the Commissioners. He was prepared to accept the Amendments.

The following Amendments were then made:—

Clause 12, page 4, line 11, leave out from ("exceed") to end of paragraph, and insert ("five").

Line 21, leave out ("chairman and the three first-named").

Bill *passed*, and sent to the Commons.

ARMY—MILITIA ARTILLERY UNIFORMS.—OBSERVATIONS.

LORD WAVENEY called the attention of the Under Secretary of State for War to certain deficiencies in the clothing and equipment of the Militia Artillery. The noble Lord was understood to say that one of the most important points in the organization of our Military Force was to secure uniformity between the Regular and the Auxiliary Forces; and, in particular, he thought the dress and equipment of the Militia should be brought as nearly as practicable into uniformity with the Line regiments. His particular point on the present occasion was to direct his noble Friend's attention to the dissimilarity—the unnecessary dissimilarity—between the clothing of the Militia Artillery and that of the Royal Artillery. He had taken great interest in the question of the organization of the Militia Force for the last 25 years, and he could assure their Lordships that there was more connection between the two than was generally imagined. During that period there had been no fewer than four changes of head-dress, and none of them satisfactory; and, as he regarded equipment and dress an essential part of military discipline and organization, he thought that such matters should not be left altogether in the hands of the officers in command, but that the opportunity of the new military system should be taken advantage of to assimilate the dress of the Militia to that of the Regular Army. Here was a case in point. The new helmet had not been delivered out to the Militia Artillery; but he knew that in one case the officer in command of a corps had been permitted to purchase the new helmet in case the corps should be embodied for service. He hoped the noble Lord (Viscount Bury) would direct his attention to the subject.

VISCOUNT BURY said, the noble Lord had complained that Militia Artillery were not equipped in the same way as were the Royal Artillery; but the only difference he had been able to show was that the Militia had not yet got the new helmet. In the event of the Militia being embodied, that deficiency would be supplied, and the officer to whom his noble Friend had referred would be recouped for the helmets he had purchased. This matter was gone into at great length in 1870 by a Committee, and it was then considered that the same equipment should be supplied to each Force, with the exception that an undress tunic only should be issued to the Militia.

LORD TRURO regretted that the noble Viscount had not gone further into the subject. There were, he understood, serious objections to the new helmet. One corps to which it had been furnished complained that a man who wore it could not raise his rifle to his shoulder without knocking off his helmet. Then, if spikes were worn on the artillerymen's helmets, the men would blind one another with these spikes when stooping to work the guns. But this objection would be easily met by substituting a ball for the spike.

CRIME IN IRELAND.—RESOLUTION.

LORD ORANMORE AND BROWNE rose to call the attention of the House to the late fearful outrage committed in the county of Donegal, and to the increased and increasing prevalence of undetected and unpunished crime in Ireland; and to move that it is the duty of Her Majesty's Government to ask for such measures as may enable them more effectually to suppress outrage and enforce security of life in Ireland. Also to move for Returns showing all crimes against human life, firing into dwelling-houses, administering unlawful oaths, demands for money, threatening letters or other intimidation, incendiary fires, robbery of arms, which have been reported by the Royal Irish Constabulary between the 1st of January, 1875, and 28th of February, 1878, showing whether any person or persons have been prosecuted for such offences, and whether acquitted or found guilty. Their Lordships would remember that he made very nearly the same Motion last year as that which he now brought before the House; and on that occasion he was met with the expression of a hope which he was sorry to say had not been realized—that the laws now in force would be sufficient to repress crime; and the object of his present Motion was to show that instead of that being the case, agrarian crime in Ireland went on increasing. He should not trouble the House by again going into a detail of the cases which he enumerated to the House last Session, though he must refer shortly to those cases. He held that one of the chief causes of the increase of crime in Ireland at the present time was that during the last few years many persons of very indifferent character, men of violent and lawless habits, had returned from America to Ireland; and, in addition to that unfavourable circumstance, there was the fact that there had arisen a unity of action between two great conspiracies in that country—the Fenian and the Ribbon conspiracies. It appeared, from statistics presented to Parliament, that in the year 1876 there had been an increase of 65 cases of agrarian outrage, and in 1877 there was a further increase of 20 cases. Last year he brought under the notice of their Lordships the case of Mr. Bridge, the agent for property in Tipperary, who had been twice fired at in open day and twice wounded. On the second occasion he was accompanied by police, who sat by his side on the car, and several men fired at them from the side of the road. The driver of the car was killed. Strange to say, in that case one of the assailants was brought to justice and executed—the only case of conviction and execution for an agrarian murder that had taken place for many years. Two other men were engaged in the attack; but though it was perfectly well-known who they were, and though it was believed that they were yet in the country, they had never been arrested. He saw by a telegram in *The Times*, the other day, that Mr. Bridge went into Tipperary surrounded by a large body of police. Two persons who took land on an estate managed by that gentleman were dreadfully beaten in the market-place of the town of Tipperary, some 60 persons being present when that outrage was committed; but no one had been arrested for it. Not far from his own neighbourhood, at a part of the country where the counties of Mayo, Roscommon, and Galway united, there had been numerous cases within the last 18 months. There was the case of Mr. Nolan, a land agent, who was fired at and badly injured; he identified the man who shot him; the man was tried, but was of course acquitted. A Mr. Barrett was fired at and wounded; though not killed, he was in a very precarious condition, as might be imagined when it was stated that no fewer than 37 pellets were lodged in his body. In that case no person was even arrested. There was the case of a neighbour of his own—a Mr. Rush. His house was fired into at night, and aim was taken at the bed in which his sister was supposed to be; fortunately, she was not there at the time. No one was arrested in that case. In the barony of Costello, armed bands paraded the country at night, administering oaths pledging those who took them that they would not pay rent for turbary. Dr. Handcock, the Government officer who drew up the criminal statistics, kindly suggested that the Land Act should have made the turbary over to the tenants. In all those cases the Government sent down special police; and in one case a policeman, who was exceedingly active in endeavouring to procure evidence against murderers, was fired at and badly wounded in the open day not far from the barracks in the town of Dunmore. In the county of Mayo, a lady, named Knox, having turned away a servant, two days afterwards some persons entered her house and chopped her head dreadfully. A person going to collect rents, in the village of Kelvine, had a shot fired over his head. In Clare Island an agent, though protected by a body of police, was obliged to retire without serving notices with which he had been entrusted. Such was the state of things in that unfortunate country. He now came to that fearful tragedy which, partly because of the high position of the principal victim, and partly on account of the wholesale character of the slaughter, had claimed a more than usual share of public attention. The crime would come more nearly home to their Lordships, because almost all of them were familiar with the appearance of his poor friend, Lord Leitrim, who came forward so manfully, if injudiciously, in the assertion of his rights, or what he supposed to be his rights, in that House and elsewhere—at any rate, in defending those rights, he had been actuated by no mercenary motives, and even his worst maligners, of whom there were many, acknowledged that he was a liberal landlord, letting his land at low rates to those who did not oppose what he held to be his rights. There had appeared a letter in an Irish paper—*The Irish Times*—which the noble Lord read, which stated that 150 men and a large number of families had been thrown out of employment by the murder of his noble Friend. The letter observed, that whatever political firebrands might say, the tenants on Lord Leitrim's estate were better housed, better clad, and had their lands better laid out than when his Lordship came into possession of the estate. The letter stated—

> "He had many faults, the chief of which was that of ruling his tenantry in the most arbitrary manner."

Their Lordships had read of the horrible and shocking scene which was enacted at the funeral of Lord Leitrim. That funeral was in Dublin, which was a long way from the part of the country in which the noble Lord was shot; so that such a scene in Dublin showed how rife throughout Ireland was the feeling of enmity against the class to which Lord Leitrim belonged. That feeling was created and kept alive by the calumnies continually published by a certain class of journals alone—not only against Lord Leitrim, but against every landlord who in a straightforward manner tried to do his duty. A new and shocking feature in the case of the murder of Lord Leitrim and in the attempt to murder Mr. Bridge, and some others, was that, whereas on former occasions, the assassins had only attempted the life of the person who was the object of their enmity, they now indulged in wholesale slaughter regardless of the innocence of the persons whom they killed. This showed a most reckless and bloodthirsty state of feeling. Another bad feature in the state of the country was the manner in which what was known as "The National Press" of Ireland endeavoured to justify or excuse or palliate the assassination of Lord Leitrim, and similar crimes. One Irish journal said—

> "It is vain to denounce agrarian crime until the source of it is dried up. It is in vain to rebuke the murderer while the robbery that tends to it is allowed to go unpunished. We yield to no man in our abhorrence of the foul crime of murder; but, as honest journalists, we feel compelled to give expression to our conviction that until the Legislature affords protection to the tenants, landlords will, from time to time, be consigned to a bloody doom like that which overtook Lord Leitrim."

Other journals wrote in the same strain, and, therefore, it was not at all wonderful that the ignorant and excitable peasantry should accept the teaching. It appeared that Lord Leitrim had obtained the decree of a Court of Law ruling that there was no tenant-right on a part of his property, and in all probability the cause of his death was that he wanted to enforce the view upheld by that decree. Fixity of tenure was an idea rooted in the minds of the persons who committed or who sanctioned those outrages. He did not often quote the authority of the late Mr. O'Connell, but that gentleman said that fixity of tenure would only change one landlord for another, and that the one substituted would be one of a worse class. He was often told, when standing up in his place to resist the passing of the Irish Land Act, that it would have the effect of producing order and content among the Irish people. What were the actual facts? It used to be difficult to get 12 men to find a verdict in a case of agrarian outrage; but now, nobody could be got even to give evidence to lay before a jury—such was the terrorism existing in Ireland—and it was stimulated by the knowledge of how much had already been ceded to violence, and the hope that more would be obtained by the same means. In his (Lord Oranmore and Browne's) district, as the law was found to be no protection, everyone went about armed. In a house, not far from the scene of some murders, as the family were sitting down to dinner, information was given them that some men had just been seen looking in at one of the windows. Some of the party went out, and found the marks where a man had been kneeling behind an evergreen, close to which the master of the house was in the habit of walking after dinner. In an opposite direction a man was seen running away. He was challenged, but did not stop, and was fired at; had he been killed, it would have been a bad case for the person who had fired at him; but had the man fired at and killed one of the party belonging to the house, there would not have been the least chance of a conviction. There was a large reward for the discovery of the assassins of Lord Leitrim; but so had there been in the case of Mr. Young, and without any result. The reason was easy to know, for a policeman, two years after giving evidence in the Fenian trials, was shot in the streets of Dublin; a man was arrested on the spot, but though the evidence was quite clear that he fired the shot, he was acquitted. When any of those who were engaged in attempting to upset social order and the existing Government were brought to justice or died, they were treated as martyrs and patriots by those who were connected with the secret societies. Such societies existed not only in Ireland, but all over the Continent, and everywhere it was found that the ordinary course of law was unequal to cope with them. Like cancers in the human body, they could not be cured, but the knife of the operator might stay them. He must say that the law passed by the present Government with the object of suppressing agrarian outrages was much less effective than that which was in force under the late Government. There was not the same power of arrest under the existing law, or of searching for arms; there was no law suppressing the licence of the Press. The two Peace Preservation Acts of the late Government had, no doubt, contributed more or less to repress crime; and he thought Her Majesty's Government could not but regard the state of Ireland as dangerous, unsatisfactory, and most unfortunate; and, if so, they ought to take such powers from Parliament as would enable them to cope with some of the difficulties to which he had adverted. He, therefore, hoped they would not be deterred by opposition in "another place," but would discharge the duty which every Government owed to the subjects of a country in respect of the due protection of life.

Moved to resolve, That it is the duty of Her Majesty's Government to ask for such measures as may enable them more effectually to suppress outrage and enforce security of life in Ireland.—(*The Lord Oranmore and Browne.*)

THE EARL OF DUNRAVEN: My Lords, I have nothing especial to say about this particular case of what is termed agrarian outrage, to which our attention has been called to-night, except that, as an Irishman, I am filled with a deep sense of shame, that acts so atrocious should be committed in my native country, and that sentiments so horrible should be breathed in that portion of the United Kingdom in which I was born, and of which, if it were not for such acts and sentiments, I should be proud to speak in terms of unqualified praise. Neither shall I attempt to enter into detail as regards the jury system in Ireland, or to discuss whether the qualification is too high or too low.

There are many noble Lords more capable of handling that subject than I am, especially a noble Lord upon the front bench, who had much to do with altering the jury system. They can discuss the matter, if they think it advisable to do so; but I will make a few remarks upon the larger and general question why Ireland is, and always has been, more or less dissatisfied and disaffected, and why the Land Question always has been, and still is, a difficulty apparently beyond the power of individuals or of Parliament to deal with. There are so many causes to be considered, that I can merely indicate them and touch upon them very briefly. Some that are considered of vast importance are, in reality, insignificant; while others scarcely recognized have very marked and widespread effects. First of all, there is the question of religion and race, which is thought, but erroneously thought, to be one of great magnitude. In reality, there are no distinct differences of race. The population is composed of the original Celts, Northmen, and Danes to a considerable extent, and of different varieties of Saxons, Jutes, and Angles from England. But these principal races are completely blended and intermingled together. I do not suppose that there exists a single man who could, with truth, say that he was of unmixed Celtic blood. And as regards this question of race, it is worthy of notice that those districts in which Celtic blood is predominant are, and always have been, the quietest, and the people in them are by far the most orderly and best conducted; whereas, in those parts where the English element is more strongly represented—principally among the descendants of men introduced in the Plantation made under Cromwell in the South of Ireland—the population is especially turbulent and unmanageable. The difference of race affords no sufficient cause for any troubles that distract Ireland; neither is religion an important matter. It affords a convenient weapon, and can be made dangerous use of; but that is all. I do not mean to say that great bitterness does not exist between the two great opposing faiths; I am sorry to admit that is undoubtedly the case; but it does not affect the relationship between landlord and tenant. The fact of landlord and tenant being of one religion may, perhaps, create a little more sympathy between them, because they meet upon the common plane of religion when worshipping together; but the occupiers of land in Ireland are far too practical to care what religious opinions a landowner holds provided he treats them fairly and with consideration. The Disestablishment of the Church had no effect whatever in diminishing the evils from which Ireland suffers. I am not going to say anything against it, for on principle I disapprove of the religion of a minority being in a superior position to that of the more numerous part of the population; but it was certain that, while it was distasteful to the Protestants, it was not welcomed in the light of a benefit of any kind to the Roman Catholic population. Then we have the results of long years of past injustice to be dealt with. Ireland was very evilly entreated for many generations; she laboured under frightful religious disabilities, and her trade and manufactures were repressed by protective laws. The government was very badly administered, and the greatest injustice prevailed for many years throughout the land. All these evils have been remedied, and there is no use in complaining or crying out about them. But you cannot expect results to cease immediately the cause is removed. The sick man does not recover directly proper treatment is adopted, and the evil that produced his disease taken away. It is natural that Ireland should still feel the consequences of bygone injuries; but there is nothing to be done to obviate that. All we can do is to have patience, and to look forward with hope to the future; and there is one ground of complaint that I have against my countrymen—that they are so much more inclined to look to the past rather than the present and the future. There must, I think, be a taint of original Toryism in Irishmen; they are so inclined to glance back enviously to the good old days, and to take a dismal view of the future. Then there are several minor, and what may be called emotional, causes which have been from time to time mentioned. For instance, a great authority—no other than the Head of Her Majesty's Government—attributed some of the woes of Ireland to its contiguity to the melancholy ocean. I quite allow the depressing effect of water; but I rather think that to the waters above the firmament which descend upon us in copious and constant streams, rather than to the waters under the firmament which wash our shores, is the melancholy tinge inherent in the Irish character to be traced. I am far from underrating what may be called sensational and emotional causes in their effects upon an emotional people. If Ireland were more accessible, and, consequently, were visited by the crowds that habitually throng to Scotland, she would have greatly benefited. If Ireland had produced an author so talented as that great poet and novelist, Sir Walter Scott, the man who invented modern Scotland, it would have been a good thing for her; for the beauties of her scenery are comparatively unknown. We have had great authors; but no one has succeeded in shedding around our scenery a halo of picturesque romance such as Sir Walter Scott has cast over the Scottish Highlands. But these are matters that cannot be helped, and there is no use in crying about them. We cannot fill up St. George's Channel with groans and lamentations. Then I come to a more important matter—the question of Land Tenure. There is a vague and entirely erroneous idea that the present occupiers are the descendants of past proprietors, and that, according to the ancient Land Laws of Ireland, they ought to have an individual right of proprietorship in the soil. That is not so. In the first place, the population has been so much shifted and changed about, that you would find few instances where a family has occupied a farm more than a few generations; and, moreover, as a matter of fact, under the Native Irish Laws, there was no such thing as fixity of tenure for the individual. Land was held by the tribe in common for all its members. The tribe took what it could get, and kept as much as it could. As a matter of convenience, on the accession of each chief—an event which occurred at short intervals, because those gentlemen always suffered violent deaths in a comparatively short time—the land was divided up among individuals; but their tenure had little fixity about it, and lasted at best but a few years. Out of that primitive tribal tenure grew the system which was recognized by English Law and English Judges as existing in Ireland. The soil was held in tanistry and gavel kind—that is to say, a part of the tribal property was set apart for the use of the chief for his life and for his successors. The remainder was partitioned out among the families composing the sept; but, on the death of an occupier, his holding did not descend to his son or to any of his family; neither could he deal with it in any way; it was thrown into the common lot, and a fresh division took place. But, as you are aware, one of the difficulties of which the Irish landlords have to complain is that the occupiers set great store by some particular piece of ground, to which they think they have some especial right, and cannot be induced sometimes to part with it for more than its value, or to exchange it for a larger or better piece of ground. If the present state of land tenure is altered at all, there is nothing short of transferring the ownership to the occupier that would be considered satisfactory; and, as I shall presently show, such an act would not only be of no advantage to the country, but would infallibly prove its ruin. The real difficulties under which Ireland labours arise from natural, and, I am sorry to say, unalterable, causes. Ireland contains no coal and iron, and, consequently, is debarred from the great advantages that have made the fortune of England. The population will not take kindly to the sea, and the advantages she would otherwise possess, of having a large and deeply-indented sea-board on the west, containing many safe and commodious harbours, is thrown away. Ireland contains a large population, and the supply of land is very limited. There is no outlet for the industry and energy of the people, except in the cultivation of land; and the natural genius of the people does not tend at all in that direction. Consequently, there is an intense and totally unnatural competition for land, and the people are forced into a pursuit which is not congenial to them. We cannot expect to find contentment where a nation is compelled to adopt pursuits unsuited to it; where there is an enormous and unsatisfied demand for a very small supply, which cannot be increased. Moreover, the climate is not suited to agriculture. The country is admirably adapted to grazing and stock-raising; the natural tendency would therefore be in a direction that would necessitate a diminution of population, which must entail a certain degree of misery. I say that the genius of the people does not lie in the direction of agriculture, because I have had many opportunities of studying the development of the Irish character and race in the United States. I have seen the fact proved there. In America, where there is plenty of vent and free outlet for the national character and genius to develop itself in employments and pursuits most congenial to it, the people do not trouble themselves about land. It is true that a great amount of manual labour has been performed in America by Irishmen; but that is because the greater number of emigrants are at first unable to take up any other business. The Irish in America excel as handicraftsmen and salesmen; they go into politics, speculations of all kinds, and mining operations greedily; they make very large fortunes in all parts of the country. Many of the greatest successes, from a pecuniary point of view, have been achieved by Irishmen. They naturally seek for employment that necessitates dexterity of manipulation and fertile and quickly-working brains, and in all such pursuits they excel. The Irish population does not gravitate towards the possession of land, so we have in Ireland a population bent by necessity from adopting pursuits congenial to it, and we have frightful competition for the one commodity the country produces—land. I am sure that I shall be borne out in saying that the competition in Ireland for land is unnatural and excessive. I have known as much as the fee-simple of it was worth given merely to get into possession of a farm held at will. It is an absolute necessity for the people to acquire land somehow or other, at any price, and at all hazards. They will give prices to get into possession of land that render it impossible for them to get a decent livelihood out of it, however frugal they may be; and I wish it to be understood that the reckless, improvident, rollicking Irishman of the stage and of novels has ceased to exist. There are no more frugal, self-sacrificing people in the world than the farmers in Ireland. Owing to this state of things, the rules that generally regulate property are entirely subverted, and the position of the landlord in Ireland is rendered very difficult. He cannot deal with his land like any other property. He cannot judge of its value by what it will let for. He is obliged to act as an arbiter between his tenants and himself, to guard them against the results of their own anxiety to acquire land at any price. People do not look upon the occupation of land from a business point of view, to be held as long as it pays, and abandoned when it ceases to do so; they consider it necessary to hold land at all hazards. The landlord has a very difficult task to perform, and, to use a vulgar expression, he get more kicks than halfpence for payment. We are not now discussing the Land Act; we have not had time to form any judgment about it. I think, on the whole, it works fairly. I know it is in many ways inconvenient; but I am sure that I am not singular in stating that I would put up with any inconvenience for the general public good. I say so selfishly, for I would welcome any Act of Parliament that would lighten the responsibility that weighs upon the shoulders of an Irish landlord. A complete transference of the soil to the present occupiers, setting up peasant proprietorship, would prove no remedy at all. The supply of the only commodity of the country—land—could not be increased. The demand would not be diminished, holdings would be bought up at a ruinous price, the soil would be cropped to death and ill-treated; and the country would be ruined also with it. There would be just the same, or, rather, a larger amount of competition, and no restraint whatever. Legislation may be useful in cases, but it must be delicately handled, for it may do much harm by alienating the affections of the landlords from the people, and by inducing them to stand upon their strict legal rights. If you take away the interest and affection of landlords for their tenants, you take away the only thing which, in my opinion, saves Ireland from a very much worse state of things than that which distresses her now. No laws can remedy this state of things; it can only be rendered endurable by mutual concession on the part of owners and occupiers. I believe that the bulk of Irish landlords are honestly anxious to do the best they can, but they are but mortal men; and I think that they would get along well with the people, and the people with them, if they were let alone. I entertain the greatest respect for those who seek to benefit their country by any legitimate means, however much I may differ from them. Personally, I do not see how a peasant proprietorship, or confiscation, or Home Rule, or foreign rule, or any rule, or no rule at all, is going to remove natural causes, can put coal and ironstone where they do not exist, or give us more land or better land, or can ameliorate our climate, alter the idiosyncrasies of the national character, or bridge the Channel. For all men honestly anxious to improve their country I feel respect; but I have no words at my command to express what I feel towards those professional agitators who, by their speeches or their writings, work upon the susceptibilities of a sensitive, enthusiastic race, who keep up an agitation about land by holding out hopes that can never be fulfilled, who thereby make property insecure, and who, consequently, drive from us English capital, in which lies our only chance of resuscitating industries that have been repressed, and of starting new ones, who trade upon the feelings of the people for their own selfish ends. My Lords, I have to thank you for listening so patiently while I ventilated my theories. I thought it well to take this opportunity to do so, for the opinion of any man is worth something, either in itself if correct, or in its refutation if incorrect. I will conclude, as I commenced, by expressing the sense of humiliation and shame I feel that my country is disgraced by acts and sentiments most discreditable to her, incompatible with civilization, and utterly abhorrent to the better feelings of human nature.

The LORD CHANCELLOR: My Lords, the noble Earl who has just sat down did not require to make any apology for the interesting and thoughtful speech to which we have just listened. I rose to say, with regard to the Returns moved for by the noble Lord who introduced the subject (Lord Oranmore and Browne), Her Majesty's Government have no objection to furnish them; there may be some question about the precise wording, but that can be subsequently arranged. The noble Lord has called our attention to what he justly terms the late fearful outrage committed in the county of Donegal. That is a crime of which it is painful to speak—a crime accompanied with every circumstance of reckless and ruthless barbarity—a crime which reflects discredit, I am sorry to say, if not on the whole country, yet certainly on the district in which it was perpetrated. As it is so recent, and will shortly become the subject of judicial investigation, your Lordships will not expect me to do more than state the steps that have been taken by the Government. Your Lordships are aware that rewards have been offered—first, one of £500 for information upon the subject; and since then—I think today—a further reward of £1,000 for information which would lead to the arrest of any of the persons who committed the crime. The local police are engaged in the investigation, aided by a superior officer from Dublin; five or six persons are under arrest; and the barony in which the crime was committed has been proclaimed under the Peace Preservation Act as from the 8th of the present month. After that proclamation, no arms can be carried in the district without a licence. The noble Lord also referred to the narrative given in the newspapers of what occurred at the funeral of the noble Earl—of one who was lately a Member of this House. I am glad to be able to shed a ray of light and consolation on that part of the case. I cannot but think that the narrative which appeared in the newspapers has been greatly exaggerated. I hold in my hand a telegram from the Chief Commissioner of Police in Dublin, in which he says—

> "I have read the account of Lord Leitrim's funeral. It is a gross exaggeration. The writer must have drawn largely on his imagination, as hardly one fact, except that there was a crowd, is stated accurately. None of the newspapers describe the affair with even an approach to accuracy. Further details will be sent by post."

I hope, therefore, that the report in the English newspapers will turn out to be greatly exaggerated. The noble Lord referred, according to his Notice, also to what he termed "the increased and increasing prevalence of undetected and unpunished crime in Ireland." I should like to say a few words on that subject. If the noble Lord meant by these words that "undetected and unpunished crime" has increased and is increasing throughout the whole of Ireland, I can only say that the Government are not prepared to admit in any way the accuracy of that expression. Speaking of the greater part of Ireland, I am happy to say, there is no foundation for the statement that undetected and unpunished crime has increased or is increasing. But I do not wish to conceal from your Lordships anything which is within the knowledge of Her Majesty's Government. I am afraid that it is the case in one particular district of Ireland to which the noble Lord more immediately referred—the district of part of Galway, Mayo, and Roscommon — where, for the last 12 months, a state of things has prevailed which has, in a very great degree, caused anxiety and pain to the Government. Your Lordships are aware that in the summer of last year there was a very melancholy occurrence in that district—one of the magistrates, Mr. Young, was murdered—and, from the circumstances, a number of persons of the neighbourhood must have known who the murderers were. Not long afterwards, in the same district, the petty sessions clerk was murdered; and, about the same time, a petty constable was fired at and very severely wounded. These occurrences were all very much in the same neighbourhood, and I regret to say that for none of them has any person been brought to justice. I also regret to say, on the part of the Government, that there is much reason to believe that these occurrences in that district are not merely isolated acts, having their origin in purely local circumstances, but that they are more or less connected with a larger organization—an organization, having the double effect of leading to the commission of these crimes and bringing to bear in the district where they are committed a system of terrorism and alarm which prevents any evidence being given against the authors of the crimes. With all the means of information which we possess, while I cannot say that undetected and unpunished crime has increased and is increasing in the greater part of Ireland, I believe that in the particular locality to which reference has been made the state of things is serious, and it certainly is a subject of very great anxiety to the Government. I am prepared to say on the part of the Government that, watching narrowly what is occurring, and deeply convinced that it is their duty to provide for the protection of life when in danger, whenever they are satisfied it is their duty to apply to Parliament for further powers on the subject, they will be prepared to do so.

VISCOUNT LIFFORD was understood to say that he was present at the funeral of the late Lord Leitrim, and he was glad to hear the telegram read by the noble and learned Lord on the Woolsack. He hoped the proceedings of a brutal mob would not be considered as reflecting on the character of the Irish people. The district in which he lived was in the same county in which the late Lord Leitrim resided, and his experience was exactly the reverse of that stated by his noble Friend who brought forward this Motion. In his district, some years ago, outrages had occurred connected with Ribbonism; but, on being appealed to, the entire population of two parishes—Protestant and Roman Catholic—came forward in the most noble way, and Ribbonism was put down. He was bound to speak of them with respect for the appreciation of justice they had shown on that occasion — he was not bound to be blind—the Irish people appreciated justice as he believed no other people in the world did. The noble Earl (the Earl of Dunraven), who had made an interesting speech, talked of remedial measures; but had they ever been applied? Nothing but justice would be remedial, coupled with the strict enforcement of the law affecting property. During the last 50 years, for political and party purposes, class had been set against class, and religion against religion. The late Earl of Leitrim was in many respects a most considerate and kind landlord, but nothing would move him from his determination to enforce the law. In his proceedings, he looked only to two objects—so far as he was aware—the first, being the improvement of the condition of his tenantry, and the second, the enforcement of the law respecting property. He was a man of independent spirit, impossible to move from his purpose; but, at the same time, of a just and honourable temperament. He never evicted a tenant without a cause, and to those who were evicted, he gave the fullest compensation. Their Lordships had heard the letter, read by his noble Friend on the cross-bench (Lord Oranmore and Browne), written by a tenant-farmer, and stating what Lord Leitrim had done in the country where his property was situated. He had entirely put down secret societies in the county of Leitrim, and what he had done in that county before the passing of the Land Act, he did in Donegal after the passing of that Act. To a great extent, he sacrificed his property unduly for the benefit of his tenantry. He mentioned various awards granted with costs, equal to half the awards against the late Earl under claims for Ulster tenant-right, the number of years' purchase ranging from 20 and 30 to 53½ and 61 years' purchase. Lord Leitrim had the strongest evidence, short of actual proof, that one of those men who had received 40 years' purchase had laid a plot to murder him. Now, suppose that the Irish people had had a fair appreciation of the rights of property and of life, what sort of education had they received during the last few years under the Land Act? It was an education in illegality and injustice. He believed that if "the Bright clauses" could be carried out, good to a great extent would be the result; but the worst part of the Land Act was that which legalized that vague, undefined, and uncertain thing called Ulster tenant-right. It was so vague and uncertain, that while on some estates it meant five years, on others it meant 25 or even 50 years' purchase. Let not their Lordships suppose that he was opposed to the fair claims of the tenant. Long ago, their Lordships might remember that in Committee in that House he urged in the strongest way that the fullest compensation should be given to the tenant for any outlay which he or his predecessors might have made on the land. But the present Land Act, while it despoiled the landlord, promoted litigation between landlord and tenant. Coming back to the case of Lord Leitrim, even supposing that the guilty parties were brought to trial, it was by no means certain that they would not be acquitted under the present system. Under the old jury system the case was very different. But now, political power had been put into the heads of a class totally unfit to exercise it. He would give two illustrations. A man was put on his trial at the quarter sessions of Thurles for larceny, when the following scene occurred:—

> "A Juror said—I have a doubt it was not the prisoner who took the money.
>
> "The Chairman: Have you any doubt he was assisting the other man? If you think he was assisting him, I have told you before he is as guilty as if he himself took the money.
>
> "The jury again conferred together.
>
> "The Juror: I have a doubt still.
>
> "The Chairman: Have you any doubt but that the prosecutor was robbed, that the prisoner held him, or that the prisoner and the other man rushed out of the carriage together, and went into another carriage, where they were arrested by the constables, and that the prosecutor's purse was found under the seat where they were sitting?
>
> "The Juror: But the train was in motion. (Laughter in court.)
>
> "The Chairman: This cannot go on. Retire to your room.
>
> "After being locked up for some time, the jury came into court with a verdict of 'Guilty.'
>
> "The Chairman: That is a very proper verdict. I may now tell you what I could not tell you before—that the other man admitted his guilt before the magistrates, and was sentenced to six months' imprisonment.
>
> "The Juror: I do not agree to that verdict. I do not think the prisoner is guilty.
>
> "The Chairman: Give back the issue paper to the jury. They must all agree to the verdict. Return to the jury-room.
>
> "The jury retired, and were locked up for a considerable time, but eventually had to be discharged without agreeing to a verdict, and the prisoner was directed to be tried at Nenagh next Monday."

He would give another illustration—

> "At Ballinakill quarter sessions, Ellen Moore was indicted for having stolen a shawl. Evidence sustaining the charge having been given, his worship charged the jury, who retired. After a considerable lapse of time, one of the jurors came out of the room and was leaving the court. His worship observed the man, and directed the Deputy Clerk of the Peace to ask if he was a juror.—Juror: 'Yes, Sir.'—Deputy Clerk of the Peace: 'Where are you going?'—The Juror: 'Ah, begor, I wouldn't stay there; they're all boxin' and fightin' inside.' (Laughter.) The Juror was then ordered back to the room, and a constable placed on the door. The prisoner was found guilty, and on the jury being discharged, one of them was heard to say—'Only I threatened to lick him, he'd never agree.'"

He hoped his noble Friend who had brought forward this subject would withdraw the first part of his Motion, and be content with obtaining the Returns.

Lord CARLINGFORD said, he feared that on the subject of the lamentable murder which had disgraced Ireland, there was little useful which could be said. A dreadful deed had been done, but he believed there was still reason to hope that it did not necessarily follow that such atrocities would be repeated in the same part or other parts of Ireland. The attempts which had been made in the course of the discussion to draw conclusions from this isolated crime, with respect to future legislation, did not appear to have recommended themselves to their Lordships. He saw no reason to draw from this crime the conclusion either that it was their duty, under present circumstances, to pass a new Coercion Act for Ireland, or to entertain any question as to a change in the Land Act. After the speech of the noble and learned Lord on the Woolsack, he would have been content to remain absolutely silent, but for a statement of the noble Lord who had just sat down (Viscount Lifford), to the effect that the Land Act, in its operation in Ulster, had been an education in illegality and injustice for the population of that part of the country. That statement he was sorry to hear from his noble Friend, and he hoped it would not be accepted by any of their Lordships. The object of the Land Act was not to provide education for the people of Ulster, but to convert into law that which had been long recognized as a moral obligation on the Ulster landlords, which was recognized as such by the great majority of them, and regarded fairly as such by all Ulster tenants. The obligations of the Ulster tenant-right existed morally on the Ulster estates, and, he presumed, on the estates of the late unfortunate Lord Leitrim, before the Land Act. What the Land Act did was to translate into a legal right that moral obligation. He was not prepared to assert that every decision under the Act in an Irish Court was right; but this he would say—that every care was taken in the framing of the Land Act that every such decision should be just; and, in case of any error in the County Courts, a double appeal was carefully provided. As he said, the Land Act converted into an obligation of the law that which was a moral obligation binding upon landlords. Such being the case, he thought that this lamentable and atrocious crime had been committed — not in consequence of the Land Act—but in spite of it; and that the education which the people of Ulster had received from the Land Act was an education, not of injustice, but of justice and morality.

Lord INCHIQUIN said, that what they had to inquire into was, what were the causes that promoted these crimes, and what were the means to be taken for their repression? He thought murders, such as those they were now discussing, a dismal and grim answer to the "message of peace" which it was confidently hoped recent legislation had sent over to Ireland. The sacrifices—and they were no small ones—which the landlords of Ireland had been called upon to submit to, appeared to him to have been made in vain, as far as putting an end to agrarian crime was concerned. He might add, that in spite of the repressive laws which had been enacted by Parliament, the edicts of the secret societies were carried into effect with impunity. Under these circumstances, it was only right that their Lordships should calmly consider what motives were working in Ireland, and what were the causes which led to these crimes. It had been remarked, in the course of the present discussion, that it was not easy to say where the causes of these crimes lay. He was unable to concur in this opinion. He attributed the crime which existed in Ireland—first, to the agitation which was kept up on the Land Question both in and out of Parliament; secondly, to the injudicious, intemperate, and uncontrollable language of a certain portion of the Press in Ireland; and, thirdly, he attributed it, in great measure, to the denunciations too frequently heard from the altars of Roman Catholic chapels in Ireland. These constituted, in his opinion, the reasons for the existence of crime in Ireland. It would naturally be asked—"What do you propose to do to remedy this state of things?" With regard to the agitation on the land question, in or out of Parliament, he by no means regretted that grievances should be brought forward; but he thought the landlords of Ireland might fairly call upon this and the other House of Parliament to declare that they would not, under any circumstances, listen to any proposal for the confiscation of the property of one part of the community for the purpose of handing it over to another part of the community. This was a vital point; and if the Leaders in both Houses, and more especially the author of the Land Act, were to declare that in their opinion it would be impossible to transfer property from one class to another, he thought a great deal of the source of agitation would be taken away from those who at the present time were doing all they could to bring about a change which would be most injurious to the country. Even if those Gentlemen should succeed in carrying a measure which would confiscate the property of the present landowners, he did not believe that by doing so they would in any way stop or lessen crime in Ireland. They would merely transfer power to another class, who would probably use it in a very much worse way. As a rule, the landlords of Ireland dealt temperately and moderately with their tenants; and, whatever might be said about the late Lord Leitrim, there was no doubt that he was a kind and considerate landlord in many respects, although peculiar in his views. His Lordship was under the impression that the legalizing of the Ulster custom had done a gross injustice on his property, and he was determined to remedy, as far as the law would allow him to do so, the evil effects of that legislation. For his own part, he (Lord Inchiquin) believed that if the declarations he had suggested were made in Parliament, the agitation in the Press would, to a great extent, cease; but if intemperate language continued to be used, the Government would still have the power of coming to Parliament and re-enacting the clauses of the Peace Preservation Act, with a view to putting a stop to language of that kind. He came to a much more delicate question when he referred to the denunciations in the Roman Catholic chapels in Ireland —he desired to be very careful in speaking on the subject—but these were matters of fact, and there could be no secret whatever about them. It must be in the recollection of their Lordships, that two of the worst crimes which ever disgraced the annals of Ireland were committed in consequence of denunciations uttered, in each case, on the previous Sunday in the Roman Catholic chapels—the victims of the crimes he referred to were denounced in the Roman Catholic chapel, and the crimes were carried out before the next Sunday came round. Those denunciations which had come under his own personal observation had led, not, indeed, to murder, but to threatening letters and annoyances of various kinds. Denunciations made from the altar, without reason or justice, had brought about a spirit of terrorism, which, in spite of what had been said to the contrary, prevailed in many parts of Ireland. Being made without justice or reason, they brought about a spirit of terrorism, which existed in more places than the Government had any idea of; and the reason why the authorities were not made aware of its existence was, that the persons who suffered were unwilling to come forward and complain, because they knew they could obtain no remedy — the Government could do nothing for them. From his place in Parliament he appealed to the Roman Catholic priests to be temperate in their language. They did not know the mischief they did in using the language which they uttered from the altar. If the Roman Catholic Bishops were to speak with a will to their Clergy, saying—"We will not sanction denunciations and intemperate language and accusations uttered from the altar," he believed much would be done towards putting an end to the existence of crime in Ireland. He would only say, in conclusion, that he heard the telegram which had been read by the noble and learned Lord on the Woolsack with great satisfaction—it gave ground for hope that the account in *The Times* of the disgraceful behaviour at the late Earl of Leitrim's funeral was greatly exaggerated.

Lord O'HAGAN wished to say a word with regard to the Land Act. For his own part, he could not believe that any discontent was caused in Ireland by the Land Act. He thought it a most unjust imputation upon an upright and honourable body of men, the Judges of the County Courts in Ireland, with reference to their decisions under the Act—and he wished further to point out that there existed in Ireland a Supreme Court of Appeal, which was constituted in a most satisfactory way, and which dealt with the Land Question; but only a very small number of appeals had been taken to that Court, and he thought that fact alone would be a sufficient answer to what had been said by some noble Lords on the other side. He did not believe there was any discontentment with the Land Act, and he was quite sure that if any wrong had been done under it the Act would have been altered. He would also allude to the Jury Act. The noble Lord opposite (Viscount Lifford) said that the principle of the selection of juries must be restored in Ireland if juries were to do their duty. Selection of juries had been applied in former times in a way that was very injurious to the administration of justice. As a matter of fact, the Jury Act had accomplished the most beneficial results. After the last agrarian murder in Ireland—the Jerningham murder—was committed, one of the principals in that murder was captured, and was tried and convicted by an Irish jury. In only two cases—the case of the counties Galway and Mayo—did the Judges now complain of undetected crime. These were on the Connaught circuits; there was no such complaint on the Roscommon, Leitrim, or Sligo circuits; nor was there any complaint of the prevalence of undetected crime on any of the circuits except the two cases he had mentioned. On the contrary, there was almost a universal expression of satisfaction on the part of the Judges. The Constabulary of Ireland were a most efficient body, and it was almost impossible that a crime could be committed without its being detected by them. The whole of Ireland, with the exception of the two counties he had referred to, and of Limerick, which had naturally attracted the attention of the noble Lord (Lord Oranmore and Browne), was in a most satisfactory state of peace and obedience to the law.

Lord STANLEY of ALDERLEY said, that since remedial measures were as much under the consideration of the House as measures of coercion, he would venture to make a suggestion to Her Majesty's Ministers, and to ask them, whether the time had not come when they might advise Her Majesty to add to her Guards a regiment of Irish Fusilier Guards? Such a recognition of what the United Kingdom owed to the military prowess of Irishmen would be most gratefully received by them, and would greatly stimulate recruiting in Ireland. Irish soldiers had not only added lustre to the British Arms, when enrolled under British Standards, they had also preserved the credit of the British Army even when they were arrayed against it. For at Fontenoy, the only important action in which the French could claim a victory, the Irish Brigade, by its repulse of our troops, saved them from the mortification of defeat by the French. If an Irish regiment of Guards were to be granted to Ireland, a regiment fully equal in appearance to the three existing regiments could be speedily formed from the ranks of the Irish Constabulary. One might say of that body—altering a little the words of a Wallachian poet—"No one ever saw them without wishing to be their colonel." Some of them might easily be spared from Ireland; for it was rather grating to the feelings of an Englishman to see so many of them in pairs at all the railway stations in Ireland, as it reminded one too much of Austria in the old times of Prince Metternich, or of a French Department when in a state of siege—and the work they had to do, of watching the movements of Fenians or Ribbonmen, would, one would think, be more efficiently performed by police in plain clothes.

Lord ORANMORE and BROWNE said, the noble Lord (Lord Carlingford) spoke of the "solitary" agrarian murder, and said that there was very little undetected crime in Ireland. When he had mentioned 10 cases of murder, or attempted murder, within 18 months, he could not imagine how the noble Lord arrived at the conclusion that the murder of the Earl of Leitrim was an isolated case; nor could he understand how the noble and learned Lord (Lord O'Hagan) referred to the Judges' charges as speaking favourably of the state of the country with so many undetected crimes.

Lord O'HAGAN said, he was speaking of Ulster.

Lord ORANMORE and BROWNE said, that, even supposing crime was confined to one district, when it was as extensive as it had been in the three counties near which he lived, he thought that would be quite reason enough to have a law which could be applied to that particular part of Ireland like the Westmeath Act, and which should have no reference to any other part of Ireland. However, the Government had recognized the serious nature of the case, and that the measures which had been already tried by the Government had had no success in suppressing crime. He had to thank the Government, at any rate, for their attention and their promise that if they found the present law still unsuccessful they would pass more stringent measures. He would, therefore, withdraw the first part of his Motion, and move for the Returns only.

Motion (by leave of the House) *withdrawn.*

Then, on the Motion of the Lord ORANMORE and BROWNE,

Returns showing all crimes against human life, firing into dwelling houses, administering of unlawful oaths, demands for money, threatening letters or other intimidation, incendiary fires, robbery of arms, which have been reported by the Royal Irish Constabulary between 1st January 1875 and 28th February 1878, distinguishing so far as can be done agrarian crimes, and showing whether any person or persons have been prosecuted for such offences, and whether acquitted or found guilty:

Ordered to be laid before the House.

THE EASTERN QUESTION—PRINCE GORTCHAKOFF'S CIRCULAR AND MEMORANDUM.

QUESTION. OBSERVATIONS.

EARL GRANVILLE inquired, Whether Her Majesty's Government would present to Parliament the recent Circular of Prince Gortchakoff and its annexed Memorandum as soon as they were officially in possession of it? He refrained from putting any further Question, partly because he hoped negotiations might be going on in some shape or other which might lead to a favourable result, and partly because he felt he might assume that the Government, who advised Her Majesty to summon Parliament at an unusually early period to show confidence in it and to obtain its advice, would not allow Parliament to separate for a considerable time without informing it of any facts which it was essential or desirable for it to know.

THE DUKE OF RICHMOND AND GORDON: I have to inform the noble Earl that it is the intention of the Government to lay before both Houses of Parliament the Papers to which he alludes.

House adjourned at half past Seven o'clock, to Monday next, Twelve o'clock.

HOUSE OF COMMONS,

Friday, 12*th April,* 1878.

MINUTES.]—NEW MEMBER SWORN—Lord George Hamilton, *for* Middlesex.
WAYS AND MEANS—*considered in Committee—Resolution* [April 11] *reported.*
PUBLIC BILLS—*Second Reading*—Public Works Loans [138]; Highways [95]; Statute Law Revision (Ireland) [122], *debate adjourned.*
Considered as amended—Bills of Sale [129].

The House met at Two of the clock.

PUBLIC PETITIONS.

PUBLIC PETITIONS COMMITTEE.

REPORT.

Special Report [11th April], from the Select Committee on Public Petitions read.

SIR CHARLES FORSTER said, he had now to move, in conformity with the Report of the Public Petitions Committee, that the Order made on the 21st of January last, that a Petition purporting to be presented from working men and other inhabitants of Dublin—

> "Against the Sale of Intoxicating Liquors on Sunday (Ireland) Bill, and containing the names of John Macgusty and W. A. Exham, do lie upon the Table,"

be read and discharged. The House would remember that when this Petition was remitted to the Committee on Public Petitions for further inquiry, he (Sir Charles Forster) stated that, although the Committee were perfectly ready to conform with the general opinion of the House, and to undertake any duty which might be imposed upon them, yet he believed it would turn out that the matter was a very small one. That view had been fully justified by the result. The Committee made a minute and careful examination of the signatures, and the result of their inquiry was, although they had certainly to report—

> "Several cases of addresses, which either do not exist, or at which the persons professing to sign do not reside,"

they were of opinion that there was no sufficient ground to call upon the House for any ulterior action, with the exception of discharging the Order for the reception of this particular Petition. There was one circumstance which had unfavourably impressed the House and the Committee, and that was the discrepancy between the alleged number of signatures and the Census Returns for Dublin. The Petition purported to be signed by upwards of 92,000 male adults, whereas the last Census Returns for Dublin did not contain a register of more than 79,000 male adults. It was only fair he should state that it was shown to the Committee that Dublin was a place of frequent resort for business and pleasure; and it was suggested that the signatures were obtained from persons frequenting the fairs and markets of Dublin, and by persons who happened to be passing through the city, but who could not be said to be inhabitants of Dublin. He had said that the Committee did not recommend that any ulterior action should be taken, except in regard to the Petition which was referred to in his Motion. In respect to that Petition, the Committee resolved unanimously that there had been a deliberate attempt to mislead the House as to the signatures of W. A. Exham and John Macgusty. The Committee were also of opinion that, as it was manifest the Petition had been tampered with, it was their duty to report the facts as they found them to the House; and they further instructed him to move that the Order that this Petition do lie upon the Table be discharged. He trusted that that Motion would be adopted, and that the House would then be of opinion that sufficient had been done to vindicate the right of petitioning. He had only now to express his own opinion, and he hoped the House would agree with him, that a matter of that kind was better fought out on the floor of the House than in the Committee of Public Petitions. He begged to move that the Order be discharged.

Moved, "That the said Order be discharged."—(*Sir Charles Forster.*)

Mr. MELDON thought the Report of the Committee on Public Petitions fully vindicated the course he (Mr. Meldon) took in moving that the former Report of the Committee should be sent back to them. It had been suggested that the better course would have been to move for a Select Committee to investigate the charges which had been brought against all the Petitions. But he did not think that that was at all necessary. Having regard to the facts of the case, and seeing that the Report before the House distinctly alleged forgery, it would not have been consistent with his duty as a Member of the House, having a knowledge of the facts, to allow the Report of the Committee to remain on the Table of the House without further investigation. There were several names appended to the Petition without addresses; but there was no power to send for persons, papers, and records, and the Committee could not fully follow up the inquiry with respect to the allegations of forgery. There were forgeries that were distinctly proved to be forgeries, and he did not think the House would have been justified in allowing a Report of that nature to pass unchallenged. It turned out, on further investigation, that, although these signatures were attached with the intention of misleading the House, yet that it was not a case of forgery clearly and distinctly proved. If it had been, he should have considered it his duty to submit a Motion for other action on the part of the House besides the rejection of the Petition. There was one part of the Report of the Committee to which he desired to call attention. The Committee recommended that, in future, the addresses, as well as the names of the persons signing Petitions, should be set forth. There was no Member of the House who would not be of opinion that, if a Petition was to have any value whatever, there should be some means of tracing the authenticity of it. When no address was given hon. Members had no means of ascertaining whether the signatures were genuine or not. He thought the House was deeply indebted to the Public Petitions Committee for their valuable Report; and he hoped that, at an early day, it would be carried into execution, and the recommendations of the Committee adopted by the House. So far as he was personally concerned, having moved that the first Report should be referred back to the Public Petitions Committee, he thought the Resolution now moved should be accepted by the House.

Sir WILFRID LAWSON presumed that the Report would be adopted by the

House, and he hoped that the retaliatory measures with which the supporters of the Sunday Closing Bill had been threatened would be taken; and he was quite sure that the Petitions on the other side would receive the same attention at the hands of the Committee as the Petitions against the Bill had received. He would only say, in addition, that he quite agreed with what the hon. and learned Member for Kildare (Mr. Meldon) had said in regard to the addresses being in future added to the names of persons signing Petitions. It would be a very valuable addition, and he ventured to hope that his hon. Friend the Chairman of the Committee would take an early opportunity of bringing some Resolution to that effect before the House.

Mr. DILLWYN understood the Chairman of the Public Petitions Committee to say that the Petition to which the Report referred was signed by 92,000 male adults; whereas there were only 79,000 registered male inhabitants in Dublin, and that the difference was made up from incomers. If that statement were correct, it would appear that the whole male population of Dublin signed the Petition, without any dissentient; and that, in addition, 20,000 more, who happened to be passing through the city, also signed it. All he could say was, that if that was an accurate statement, when his Irish friends did agree their unanimity was wonderful.

Sir CHARLES FORSTER wished to explain. He had only repeated what had been stated to the Committee, and the House must take the statement for what it was worth. With regard to what had fallen from the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), he (Sir Charles Forster) might say that the recommendations of the Committee could only be considered upon Notice; but, of course, it would be brought under consideration at the proper time.

Mr. M. BROOKS said, that he was the Member who had presented the Petition; and, having examined it since, he was of opinion that the signatures referred to in the Report of the Committee were undoubtedly fictitious. It was not pretended, however, that these names were appended to the Petition with the intention of deceiving the House or anybody else. His own opinion, and he was bound to declare it, was that these signatures were appended by the promoters of the Bill, and that they were, in fact, a weak invention of the enemy.

Mr. SULLIVAN said, that was a fine defence on the part of an hon. Member detected in the act of presenting to the House a Petition which the House was obliged to spurn.

Mr. M. BROOKS rose to Order. The words "detected in the act" would imply that he had done some act that was censurable. He submitted that he had not done anything of the kind.

Mr. SULLIVAN: Of course not; what he meant was that the House had discovered—he would not say detected—that the Petition which the hon. Gentleman had presented was one that was unworthy of its acceptance, and the hon. Member for Dublin (Mr. M. Brooks), when the forged signatures were called attention to by the Committee, undertook, with the fertility of imagination he now displayed in defending a weak cause, to suggest to the Committee that Mr. Exham, whose name had been forged, had a son who might have signed it. [Mr. M. Brooks: Hear, hear!] Exactly so; and Mr. Exham, a highly respectable citizen of Dublin, was put to the pain and trouble of coming here to prove that not only did he not sign, but that the suggestion that the signature was his son's was entirely baseless and without foundation. He would suggest to his hon. Friend that when he had so bad a case to defend, he should not give quite so much scope to his imagination, or strain it to such an excess. He had been let down very easily on this occasion. Nothing had been said about Brian Boru, W. Smith O'Brien, Aurora Floyd, and others who never existed, or who had been dead and gone for years.

Sir JOSEPH M'KENNA thought the speech which the House had just listened to from the hon. and learned Member for Louth (Mr. Sullivan), savoured of that species of intimidation which was continually practised in this agitation for closing public-houses on Sunday. The hon. Member for the chief city of Ireland presented a Petition very numerously signed, and it turned out that a few of the signatures to that Petition had been appended, either as intentional forgeries, or humourously, or with a design to discredit the Petition.

If the object was to discredit the Petition, the fact of the signatures not being genuine would naturally be made known to those who had called their attention to it. And yet the hon. Member for Dublin was accused of being detected in the act of presenting a Petition which the House was obliged to spurn. He (Sir Joseph M'Kenna) had no wish, nor did he like, to use parallel phraseology; but he would use the hon. and learned Member's own phraseology, and would say that this was a sample of that fertility of imagination which was exemplified from time to time by the hon. and learned Member on many other subjects as well as that with which the House was now concerned.

MR. ASSHETON CROSS said, he was one of those who were most anxious jealously to guard the right of petitioning in every possible way; but, in this case, it appeared that every hon. Member of the House was entirely agreed that the action suggested by the Chairman of the Public Petitions Committee was the proper one to take. He would, therefore, suggest that, as the matter had been fully discussed, and as there was no dispute upon it, not to waste any further time, but to proceed at once to other and more important Business.

MR. PARNELL said, the Government appeared to be very anxious not to waste time, but they forgot that they had deliberately lent themselves to a Party who wasted a considerable amount of time the other night, when the Sunday Closing Bill was last discussed. He asked the Government how long these scenes were to go on; and, whether on every occasion when a Petition was presented to the House, they were to get up an amateur debate in this impromptu fashion? He greatly regretted to have witnessed the scenes which had occurred among the Irish Members on the question of Sunday closing. Although he was not in favour of the Bill, he wished the Government would take steps to settle the question one way or the other. If not, they would run the risk of having these Petitions brought up from time to time at those Morning Sittings, when they desired to proceed with other Business, and of having their time wasted or used, whichever they chose to call it. He thought the Irish Members attached too much importance to these Petitions. Petitions were sent in with the utmost confidence that the House would weigh carefully every signature attached to every Petition, and, indeed, everything connected with the Petition; whereas, in point of fact, the House had no cognizance of any Petition whatever, except when it was discovered that someone had forged somebody else's name. A great deal of prominence had been given to this particular Petition; but, as to the practical value of the presentation of any Petition, he contended that it possessed none, and the people of Ireland who signed these Petitions might spare themselves the trouble of signing, and refuse to send in any more Petitions at all. It was very easy to get up Petitions, especially in Ireland, no matter what the subject was. Any Association, with sufficient means at its command, could get up an unlimited number of Petitions. The Irish were a good-natured and willing people, and they did not like to say "No" to anything. The consequence was, that when the agent of any society went round and asked any man or woman to sign a Petition, in nine cases out of 10, the person asked complied. The temptation to discredit a Petition was too obvious, and too open and unguarded, and the result was that persons appended such signatures as Brian Boru, Smith O'Brien, and Aurora Floyd. He was afraid that they would have the time of the House wasted over and over again on these Petitions, unless the Government made up their minds to deal with the question of Sunday closing in one way or another.

Motion *agreed to.*

Order *discharged.*

QUESTIONS.

PUBLIC HEALTH (METROPOLIS)—SUBURBAN INTERMENTS.

QUESTION.

MR. BENETT-STANFORD asked the Secretary of State for the Home Department, Whether, seeing that several burials have lately taken place in the churchyard of Holy Trinity, Brompton, which is surrounded by a dense population in every direction and is within a mile of Hyde Park Corner, he will give orders to close the said burial-ground for all further interments?

Mr. ASSHETON CROSS, in reply, said, that under an order of one of his Predecessors, this churchyard was closed in 1859, the only exception being made in cases of certain graves of a peculiar character. He was told that not many interments had recently taken place there; but he had directed a special report on the subject to be made to him, so that he might have all the material facts before him with the view to consider the question. When this report was received, he would be happy to communicate it to the hon. Gentleman.

EXPLOSIVES ACT, 1875—MINING CARTRIDGES.—QUESTIONS.

Mr. MACDONALD asked the Secretary of State for the Home Department, If his attention has been called to the frequent prosecutions of miners for manufacturing cartridges in their own homes; and whether, as they have no place to make such unless it be provided by their employers, he will bring in a Bill to make it compulsory on all employers of workmen who use explosives to build places to make cartridges in, in compliance with the terms of the Explosives Act?

Mr. ASSHETON CROSS, in reply, said, that he had ascertained from the Inspector that, contrary to law, miners were in the habit of making their own cartridges in their own homes, but that prosecutions for the offence were not frequent. He was told, also, that the supply of these cartridges was very great, and that there was not the slightest reason why miners should make them themselves; because they could purchase cartridges for very little more than the actual cost of the gunpowder of which they were made. It was quite competent, under the Act, for any miner to get a store licence for himself on payment of, he believed, 1*s*. He should not like to bring in a Bill of the nature indicated by the hon. Member's Question, for this reason—that it would be perpetuating a practice about which people were becoming very doubtful—namely, the use of gunpowder in mines. He thought it was very doubtful if any actual security would exist in mining operations until the men made up their minds to give up the use of gunpowder altogether.

Mr. MACDONALD said, he heartily concurred in the last observation of the right hon. Gentleman, and hoped the time would soon come when it would be put into force; but he should like to know, Whether the right hon. Gentleman was willing that licences should be issued permitting the miners to make cartridges in their own homes?

Mr. ASSHETON CROSS replied in the negative; but they might have a licence for a store separate from their homes, in which they might make what was required for their own use, but not for the use of others.

THE MOAR SUCCESSION.—QUESTION.

Mr. ERNEST NOEL asked the Secretary of State for the Colonies, Whether any decision has been come to on the subject of the Moar succession; and, whether it is the intention of Her Majesty's Government to maintain unbroken the Treaty of the 10th of March, 1855?

Sir MICHAEL HICKS-BEACH: Sir, it has been decided not to interfere with the selection of a successor to the late Sultan which was made by the chiefs of Moar. The Treaty of 1855, though made with the cognizance of Her Majesty's Government, was made between two Native Princes, and it does not appear to be in any way incumbent on us to maintain or enforce it.

ARMY—SUPPLY OF MEDICAL OFFICERS—REPORT OF COMMITTEE.

QUESTION.

Mr. MELDON asked the Secretary of State for War, Whether he has yet received the Report of the Committee appointed to inquire into the dearth of Medical Officers for the Army, and the causes which prevent the service being attractive to the Profession; and, if he will state the names of the Members of the Committee?

Colonel STANLEY: Sir, the Committee in question is appointed to make an exhaustive inquiry. They are collecting evidence from the various medical schools and other sources, and they can scarcely report for some weeks. The Members are—Mr. Thompson, Assistant Under Secretary of State; Sir William Muir, Director General Army Medical Department; and Mr. Robinson, the Actuary of the Department.

SOUTH AFRICA—OUTBREAK OF THE NATIVE TRIBES—MILITARY OPERATIONS.—QUESTIONS.

COLONEL MURE asked the Secretary of State for War, Whether he will give the House any information regarding the operations of Her Majesty's Troops and the Colonial Forces at the Cape of Good Hope; and, whether there is any truth in reports which have of late been current that news of a very serious character has reached this Country?

COLONEL STANLEY: Sir, I do not think there is any information which I can give beyond that which has already been before Members of the House from other sources. All the official despatches lately received have been satisfactory regarding the military operations at the Cape; and, although I, in common with other Members, have heard a report of a serious disaster, up to the present time we have received no news of it at the War Office, and I hear that my right hon. Friend the Secretary for the Colonies has not received any information either. The latest despatches received from the Colony are nearly ready, and will be in the hands of hon. Members in a few days.

SIR GEORGE CAMPBELL: Who is now paying for the military operations at the Cape?

COLONEL STANLEY: The hon. Baronet will be good enough to give Notice of his Question.

SIR GEORGE CAMPBELL: I will repeat the Question on Monday.

PARLIAMENT—PUBLIC BUSINESS—MORNING SITTINGS.

OBSERVATIONS.

MR. RYLANDS: Sir, I rise to make a complaint against the right hon. Gentleman the Chancellor of the Exchequer in regard to the conduct of Public Business; and, though I always feel that the concluding with a Motion for Adjournment is a course attended with great inconvenience, yet it is a course which a private Member is driven to in his own defence. Yesterday, my hon. Friend the Member for Swansea (Mr. Dillwyn), at the desire of many hon. Members on this side, and with a view to promote the convenience of the House, put a Question to the Chancellor of the Exchequer as to the course of Business. The right hon. Gentleman stated fairly enough the desire of the Government to get through their financial measures, and intimated that if the Government were successful in getting through Committee of Ways and Means, and in getting the Customs and Inland Revenue Bill read a second time, then they would take the further stages of those measures on Monday; but he made no allusion whatever to a Morning Sitting to-day. I am quite aware that he did allude to the desire to pass the Public Works Loans Bill; but clearly there was no understanding that the measure was of a nature that it must be finished before the Holidays, or that it occupied the important position given to the other financial measures. But what I complain of, and what others have a right to complain of, is, that due consideration is not given to private Members. I am sure that hon. Members on either side of the House would never wish to see Parliament a mere machine, the wires being pulled by the Administration. I am glad to see the hon. Member for North Warwickshire (Mr. Newdegate) in his place; and I recollect an occasion—under a Whig Government—when he complained in strong terms of the Government taking Morning Sittings without due Notice. Of course, private Members are entirely thrown out of their arrangements when, at a late hour the previous night, or perhaps the same morning, the Sitting is appointed for 2 o'clock. I do not wish to insinuate that there was any intention to suppress information; but there is no doubt that the statement made was of a most limited kind. If the Chancellor of the Exchequer had told us that, in the event of not getting through the whole of the Business contemplated last night, he should then ask for a Morning Sitting, we would have been prepared for it. I say that the suppression of that statement entitles me to declare that the House has not been properly treated by the Government; and I say that, personally, I very much complain of the course which the Government have taken in this matter. Why are we, as private Members, to be invited here at Morning Sittings, in order that we may pass these measures of the Government? The Government have had sufficient time for these measures. They call us here three weeks before the ordinary period, and these three weeks, so far as the Business of the Session is concerned, have been practically thrown away. The Government Business seems as much behind just now as ever it is. I know what Members of the front bench will say—they will make use of the old excuse—obstruction; but I say it is under cover of the cry of obstruction, that the rights and privileges of private Members will be violated. I charge the Government with being responsible, to a very large extent, for the present state of Public Business; at all events, we are entitled to say that the Government, if they wish to get through their measures well and quickly, should not try to take away the privileges of private Members. Take the case of last night. I can answer for it, that there was a desire to facilitate the proceedings of the Chancellor of the Exchequer. So far as I myself was concerned, I felt a deep interest in the question which was before the House, and in the circumstances under which additional taxation was to be imposed on the people. I was strongly opposed to the proposals of the Government, and yet I avoided taking any part in the proceedings last night with the view not to interfere with the progress of Public Business, and other hon. Gentlemen took the same course. Not only last night, but on many previous occasions, there has been a continual desire on the part of independent Members, and on the part of Her Majesty's Opposition, to facilitate the progress of Public Business. Mention of the Opposition reminds me that we have practically no fighting Opposition. The Government have a large majority, and they press down to the level of uniformity all the hon. Gentlemen on the other side of the House. Now, we are called upon by the Chancellor of the Exchequer, under peculiar circumstances, to hurry through these financial measures. I object to the course the Government have taken in driving us into this corner, and saying—"You must pass our measures without discussion, or we will take away your Holiday." Yet it is the fact—the Chancellor of the Exchequer will correct me if I am wrong; but I presume I am right—that if we get no further than the Report of the Committee of Ways and Means—if we are not able to pass the Bill before Easter—it would not prevent the Chancellor of the Exchequer receiving the additional tax he is imposing on incomes. It is quite clear that the effect of this hurry will be that one of the most objectionable Budgets that has ever been laid upon the Table of the House will be got through the House without due consideration. We have heard the strongest possible objections urged to the financial proposals of the Government. We have even heard these objections from the benches opposite. That is an extraordinary circumstance, and one that ought to have great weight. I think I may say that there is an almost unanimous objection to the proposals of the Government; and I believe it is only necessary for the country to realize what the Government are proposing, to enlist strong expressions of opinion from the constituencies.

Mr. SPEAKER: The hon. Member is out of Order in entering upon a discussion of the Budget.

Mr. RYLANDS: Sir, I am afraid I have been very much out of Order. I was merely trying to show the Chancellor of the Exchequer that I have a strong feeling on the subject, but that I have been anxious not to interfere unduly with the Progress of the Business of the Government. If they expect private Members to facilitate the proceedings of the Government, they ought themselves to respect the rights and privileges of private Members. I have a Motion down on going into Committee of Supply. I believe it to be a matter of great importance, and that the present moment is not an inopportune one for its discussion. Through the action of the Government, the advantage I have obtained through the ballot is taken from me. During this Session, the Government have, in a most unprecedented manner, taken from private Members the opportunity of discussing public questions. If it could be reckoned up, it would be found that the amount of time the Government had obtained from private Members was wholly unexampled. I beg to move the Adjournment of the House.

Mr. MELDON, in seconding the Motion, said, he should like to call attention to the way in which the Morning Sitting had been taken to-day. He was not one who desired to deprive the Government of the assistance or attendance of Members of the House whenever it was required. He thought the Government ought to treat private Members fairly, and that the trick which was perpetrated last night ought not to be repeated. The Chancellor of the Exchequer seemed to be under the impression that he had said last night that a Morning Sitting would be taken to-day. Looking at the report of the right hon. Gentleman's speech in *The Times*, it appeared that he distinctly intimated to the House that the further stages of these Bills would be taken on Monday next. The usual mode was to put down a Notice of Motion that the House would have a Morning Sitting, or if that was not done, the Chancellor of the Exchequer, the Leader of the Government bench for the time being, stated that it was the intention of the Government to move to meet at 2 o'clock. Every Member of the House was under the impression that there was to be no Morning Sitting; but, when it was asked when the Report would be taken, the answer was—"This day at 2 o'clock." He found there was a great feeling of indignation in the House at the idea that there was to be a Morning Sitting, when they discovered the thing had been done in the way he described. Undoubtedly, this Session, the Government had taxed the patience of private Members to a very great extent. It was only reasonable that the Government should act with some kind of fairness to private Members, which he did not think they did. On Tuesday night last, the hon. Member for Meath (Mr. Parnell) had a most important Bill for second reading, which was reached a few minutes after 12 o'clock. Still, one of the Government Whips and an assistant Whip went deliberately round the Government benches, and removed every Member from that side of the House; and while this extraordinary proceeding was going on, they could see one of the Government Whips laughing at them. He did not wish to detain the House, or he could go through a whole series of cases wherein the Government had not dealt fairly with private Members; and they therefore asked that the Government should treat them with some kind of fairness, which the majority of the Members of the House were only too anxious to show to the Government. They could not too strenuously resist the taking of important steps in the House without due Notice being given. When he entered Parliament, in 1874, he found there was a system of putting most important Questions without Notice from the Chair, and at the end of the Sitting it was the habit to hand up Notices of Motion to the Speaker, and they were put from the Chair as a matter of course, because they came from the Government. They were successful in resisting that system; but now the thin end of the wedge was sought to be driven in again.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Rylands.*)

Sir ANDREW LUSK recommended those hon. Members who were always complaining of private grievances to remember that they might make other hon. Members, who had grievances also, but said nothing, turn round upon them. He hoped that the House would be allowed to proceed with the Business it had in hand.

General Sir GEORGE BALFOUR hoped hon. Members would try to meet the convenience of each other. If there was to be obstruction, it should be in the proper way, and this was not the proper way.

The CHANCELLOR of the EXCHEQUER said, he was exceedingly sorry that there should be, or should appear to be, any ground for the complaint made by the hon. Member for Burnley (Mr. Rylands) and the hon. and learned Member for Kildare (Mr. Meldon). He was very anxious at all times to conduct the Business of the House as fairly as he could. He was especially anxious that there should be nothing of the nature of an underhand proceeding, or savouring of what the hon. and learned Member for Kildare had described as a trick. There was nothing of the kind intended last night, and he was exceedingly sorry if, from any want of clearness on his part, he had led hon. Members to misunderstand the course which the Government proposed to adopt. He thought he had made it clear that the Government were anxious to get on with the Public Loans Bill, because, although it was not part of the Budget of the year, it was part of the arrangements. The Government ought to have the means of raising money under the Act which had been already passed, and they would not be in a position to raise the money unless this Bill were passed before the Easter Holidays. He thought he had also made it clear that the other two Budget Bills should be got through, in order that the House might be able to rise on Tuesday; and he intimated that if they were not able to do so it might be necessary to have a Morning Sitting to-day. When they had taken the Committee on Ways and Means, the evening was consumed in the discussion of some portions of the Budget only, and an appeal was made to him by some Friends who were anxious to discuss some portions of the Budget for an opportunity of discussing those questions, especially the Income Tax. He thought at once that if that was to be done on Monday, that would be taking up the greater part of the evening; and it would be very difficult, if not impossible, to get through the financial Business. He, therefore, thought he was entirely justified, in accordance with what he had said in an early part of the evening, in proposing that there should be a Morning Sitting to-day. He could only say, that in conducting the whole Business of the Session, it had been the earnest desire of the Government to make provision for the demand of Members not connected with the Government for the discussion of the subjects which they wished to bring before the House. The Government had been peculiarly circumstanced by the debates which had arisen on foreign policy, which had thrown out some of their calculations. Arrangements had been also made for promoting, from the time of the Government, a discussion on the Irish Sunday Closing Bill. He was quite aware he had had to ask for more Morning Sittings than were usual at this period of the Session, but he thought hon. Members would see that the object of the Government had been the general convenience of the House and the progress of Public Business. On the other hand, something more was wanted than mere abstinence from wilful obstruction —there ought to be an endeavour on both sides to act together in a conciliatory and friendly spirit, in order that all Business might be advanced as satisfactorily as possible. He trusted the hon. Member for Burnley would not press the question of Adjournment, but that both sides would try to make the best of a bad job.

Mr. PARNELL said, that the Chancellor of the Exchequer was entirely mistaken if he supposed that he had yesterday made any reference to a Morning Sitting to-day. He had certainly made reference to a Morning Sitting on Tuesday. He (Mr. Parnell) had been listening very attentively to the right hon. Gentleman, and could say that no such allusion to a Morning Sitting to-day had been made, nor was it reported in any of the morning papers. He understood the right hon. Gentleman only to refer to Tuesday next. He himself had no objection to Morning Sittings, but the right hon. Gentleman the Chancellor of the Exchequer had really hit the nail on the head, and had indicated that he was coming to appreciate the true position of the Government Business. The right hon. Gentleman said it required something more than the absence of a mere desire to obstruct, and that it required from individual Members a desire to facilitate Government Business. If the right hon. Gentleman could impart that desire to certain Members, whom he would not indicate at present, he would get on much better than he did at present. He did not say that the right hon. Gentleman would ever succeed in getting through all the Government Business. There would, however, be much less complaint on the part of many hon. Members with regard to the Government conduct of Business; but as long as the Chancellor of the Exchequer persisted in adopting the course which the Government had adopted towards his country, it was perfectly impossible for him to feel that interest in forwarding Government Business. It was more than could be expected from human nature, that an Irish Member, who had strong opinions in regard to Irish affairs, should take that interest in the bad and imperfect measures of the Government which the Chancellor of the Exchequer desired him to take. The only way to give him (Mr. Parnell) an interest in Government Business, would be to forward one or two good measures for Ireland at the beginning of every Session. It was true that the Chancellor of the Exchequer was not present when the count-out that had been spoken of took place, and he could not therefore be supposed to be *particeps criminis;* but the conduct of one of the Junior Lords of the Treasury, to whose Office a salary was attached, was exceedingly curious on that occasion. He went deliberately round to the Members on the Conservative side of the House at a quarter-past 12, and induced them to leave whilst the Attorney General for Ireland was replying to his Motion to have the Irish Church Act Amendment Bill read a second time. That was a Bill for which he had been waiting for many nights. When he saw the hon. Member going round the benches, he knew it was a sign of a count, and he at once sat down, so that he had not an opportunity of stating his views with regard to his own Bill, which was of pressing importance, and which had been miserably obstructed. As long as these things were done, the Chancellor of the Exchequer could not expect Irish Members to take an interest in Government Business. He would remind the right hon. Gentleman of the old maxim, "that one man could bring a horse to the water, but 40 could not make him drink."

Sir HENRY SELWIN-IBBETSON desired to state his impression of what had taken place. On the previous day he had spoken to his right hon. Friend before coming down to the House about the course of Business, and had suggested that it would be necessary to have a Morning Sitting on Friday, if certain Bills did not get through their stages last night. He had distinctly heard his right hon. Friend last night state to the House that, supposing those Bills were not then carried through their stages, it would be requisite to have a Morning Sitting on Friday, and that they would have to take further stages of those Bills on Monday and Tuesday, on the latter of which days they might, perhaps, require to have a Morning Sitting.

Mr. DILLWYN said, he had listened very attentively yesterday to the right hon. Gentleman, and certainly had not heard any allusion to a Morning Sitting to-day. But they had now the positive evidence of the hon. Baronet that the right hon. Gentleman had spoken of it. Perhaps he had done so in an undertone. He acknowledged the fair manner in which the Chancellor of the Exchequer conducted the Business of the House; but it was important that, when the privileges of private Members were to be interfered with, there should be no room left for misunderstanding as to the arrangements which were come to. He suggested that the hon. Member for Burnley should withdraw his Motion.

Mr. NEWDEGATE regretted that that debate should have occupied so much time. A Select Committee on the Public Business of that House was now sitting, and he thought that the propriety of requiring Notice to be given of the intention to change the time of the meeting of the House ought to engage the attention of the Select Committee. There ought, in his opinion, always to be a formal written Notice of any such intention on the part of the Government. The Business of the House ought not to be conducted by compromise. Their time of meeting ought to be fixed, so as to prevent the majority of the House, who of necessity were generally absent, from being taken by surprise.

Mr. KNOWLES corroborated the statement of the Chancellor of the Exchequer. He had heard the right hon. Gentleman say that there would be a Morning Sitting, and he had himself afterwards mentioned the fact to another hon. Member.

Mr. RAMSAY said, that not only he, but an hon. and gallant Member near him, had heard the intimation given, that a Morning Sitting would be necessary, if certain specified Bills were not got through their stages; and he was surprised that hon. Gentlemen should complain, because they must have heard several Orders of the Day fixed to come on at 2 o'clock that day.

Major NOLAN observed, that if hon. Members in his part of the House had been defective in the sense of hearing last night, they at least had the sense of seeing, and did not fail the other night, when the hon. Member for Meath was counted out, to perceive that the Government openly cleared the House. He hoped the Government would make some reparation to the hon. Member for Meath, by affording him another opportunity for the discussion of his Bill.

Mr. MACARTNEY said, the hon. Member for Burnley would have an opportunity of bringing forward his Motion at 9 o'clock, and if his Motion was not of sufficient interest to secure the presence of 40 Members, it could hardly be one worth introducing at all. ["Divide!"]

Mr. BENETT-STANFORD thought it was remarkable, that when his hon. Friend who had last spoken said a very few words much to the point, he was met with cries of "Divide!" from his own (the Ministerial) side of the House; whereas, when hon. Gentlemen opposite made long speeches, with little in them, they were listened to very patiently.

Mr. O'DONNELL said, that the hon. Member for Meath had adopted the suggestions which were made last year; but, notwithstanding, the opposition of the Government to his Bill had become more intense. Last year the Bill was met by objections, but this year it was met by the contrivance of a count. They had all observed how the leading Spokesmen on the Government side had kept away from the question of the count, which spoke highly for their prudence. Last night, official Members of the Government went about the House inquiring what hon. Members would bring Motions on. That inquisitiveness naturally suggested the idea that it was likely, if Friday night was really to be a private Members' night, the Government would have recourse to a Morning Sitting; but if very few private Members were to bring on Motions, the Government would be content with an ordinary Sitting.

Motion, by leave, *withdrawn.*

ORDERS OF THE DAY.

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WAYS AND MEANS.

Resolution [April 11] *reported.*

"That on and after the first day of June, one thousand eight hundred and seventy-eight, in lieu of the Annual Duty of Five Shillings imposed by the Act of the thirtieth and thirty-first years of Her Majesty's reign, chapter five, there shall be granted and charged the Annual Duty of Seven Shillings and Sixpence for and in respect of every Dog of the age of Six Months or upwards, for which a Licence to keep the same shall be taken out under the said Act, such Licence terminating on the thirty-first day of December following the day on which it is granted."

Mr. GORST desired to make a few remarks upon the statements which were made by the right hon. Gentleman the Chancellor of the Exchequer as to the amount required for the Public Service. The statements of the Government were usually accepted without much discussion; but he (Mr. Gorst) ventured to raise the question as to whether the right hon. Gentleman had stated the real wants of the Public Service? In the Budget which the right hon. Gentleman had to put before them, he really required for the payment of the National Debt £23,000,000, and for other charges connected with Debt and for ordinary Supply purposes £53,000,000, making a total amount which he was compelled to provide for the ordinary service of the year £76,000,000, and £76,000,000 only. Of course the Chancellor of the Exchequer put his requirement in the most plausible shape he could—it was his duty to make out as good a case as possible—but those people who had to pay the taxes were obliged to look into the demands of the right hon. Gentleman, and see whether he really did want the sum he said he required. Now, in addition to the £76,000,000, the right hon. Gentleman asked for two further sums. In the first place, he asked for £4,250,000 for extraordinary Expenditure. That was not on account of ordinary Expenditure, but for military and naval preparations, rendered necessary by the existing state of foreign affairs; and he (Mr. Gorst) wished to be distinctly understood as approving of it. Besides that extraordinary Expenditure, the country was asked for £5,000,000 for the purpose of extinguishing £5,000,000 of the permanent National Debt. The first question he wanted to ask was—"Were they obliged to supply that money at all? Was it necessary?" They were liable to the national creditors, and must provide the interest of the National Debt; they must provide for their Supply Services and Army and Navy Expenditure; but they were under no obligation, except to themselves, for the extinction of that portion of the National Debt. He did not suppose the Chancellor of the Exchequer would say there was any kind of obligation thrown on the country to provide the money, or that the credit of the country would be at all affected, if they were to abstain from providing that sum of £5,000,000 for the extinction of the National Debt. The Chancellor of the Exchequer proposed to put on new taxes to the extent of £3,750,000, and to borrow the sum of £2,000,000; he proposed to raise by taxation £83,250,000, and to borrow £2,000,000. The sum of money, therefore, by which the Debt would really be reduced in the coming year was £3,000,000, and not £5,000,000. By the proposed addition to the Income Tax £3,000,000 would be realized. Was it worth while, he asked, to lay on the Income Tax the sum of 2*d.* in the pound, not for the purpose of spending it on the wants of the country, but for the purpose of applying it to the extinction of the National Debt. That was a question which ought to be considered by that House. It was quite clear it was not necessary to pay that sum. It might, or might not, be desirable; but it was a matter within the choice of the nation. If the money were not paid, the country at the end of the financial year would be just in as good credit as now—no additional taxes would be imposed on the taxpayer, and they would simply have suspended the operation of the reduction of the National Debt. He had the honour to be a Member of that House when the Terminable Annuities Scheme was founded, and he had also the honour of being a Member of that House when the Chancellor of the Exchequer proposed the plan of the New Sinking Fund; and his recollection was, that when the Terminable Annuities scheme was introduced, the right hon. Gentleman the Member for Greenwich, and the noble Lord who was now at the head of the Government (Lord Beaconsfield), recommended it to the House, on the express ground that, if on any occasion there was any national emergency, its operation could be easily suspended. What were the arguments in favour of raising this sum of £3,000,000 by taxation? He was afraid the only argument was the extreme easiness with which it was done. The payment of the National Debt was clearly a payment that pressed upon all the payers of taxes in the country. The extinction of the Debt, therefore, would benefit every taxpayer. Was it fair to accomplish that object by burdening one and a very small class of the community? That was an argument as to fairness, and it was an argument to which no answer had been given. Another argument had been urged against the addition to the Income Tax by the hon. Member for Londonderry (Mr. Charles Lewis), who said that this proposal was in direct opposition to the pledges with which Her Majesty's Government came into Office in 1874. They knew that people when out of Office were apt to make pledges which they could not carry out in Office. Both sides of the House did that, and, as long as the present system of Government in the country continued, they would always find that to be the case. But the real question that ought to be considered was not whether the proposition to increase the Income Tax by 2*d.* was fair, or whether it was in accordance with the pledges of the Government; but was it, on the whole, advantageous or disadvantageous to the country? Would the country, at the end of the financial year, be better off for the reduction of the National Debt by the sum of £3,000,000, providing that that sum was extracted from the pockets of the Income Tax payers for that purpose? He did not suppose that the country would be ruined in either case; but he failed to see the wisdom and economy of the course proposed. Although he admitted that they got an advantage by the reduction of the interest which the country had to pay; on the other hand, they got a great disadvantage, because the money was withdrawn from capital and investment, and, therefore, the capital for carrying on the industry of the country was by that amount reduced. Now that the smaller incomes were exempt, the tax did not take away money which would otherwise be spent, but money which would otherwise be invested. The question really was, whether, if the £3,000,000 was left in the hands of the people of the country, they would not be able to invest it in something more profitable than Consols, in which the Government would invest it? He confessed that he had not the slightest doubt as to what was the more economical course. In his opinion, to put 2*d.* on the Income Tax to raise £3,000,000 for the purpose of investing it in Consols, was really to diminish the wealth of the country.

MR. J. G. HUBBARD could not say that the proposals of the Government met with his entire satisfaction, or that the expectations held forth as to improvements in fiscal legislation had yet been realized. In reference to the

Customs and Inland Revenue Bill, which was carried yesterday, his right hon. Friend the Chancellor of the Exchequer would recollect that he was one of a deputation that a few weeks ago waited upon him to point out cases of hardship and grievance resulting from the House Duty. They asked, in the first place, that they should be charged for Queen's Taxes upon the rateable value, and not upon the gross—in other words, that they should be charged upon the net, and not the nominal rent. The next wish of the deputation was of a more simple character; it was that, in exempting offices from Inhabited House Duty, the distinction between trade and professions should be done away with. And, further, they pointed out other anomalies in the Inhabitable House Duty. The gravest of these anomalies was left unredressed by the present Bill. With regard to the Income Tax, everybody knew that it was temporarily originated in the Dark Ages of finance. It had been continued from year to year, although everybody knew its iniquities; and he seriously asked how Ministers of the Crown could go on year after year acknowledging the iniquities, and not taking measures to cure them? Within the last 12 months, a suit had been prosecuted by the Inland Revenue in the Court of Exchequer. It was the case of Knowles and Others *v.* Macadam. The parties were colliery owners, and, in making up their accounts, they made a reduction in their profits, in part compensation for the exhaustion of mineral—a practice justified by the hon. and learned Member for Durham (Mr. Herschell), who conducted the case for the appellants with great ability. The hon. and learned Attorney General, on behalf of the Crown, argued that Knowles had no right to make such reduction; for he contended that, although the practice of allowing for depreciation was warranted by the rules of political economy, yet that the Income Tax, according to the law, disregarded any such rule, and permitted no such deduction. The decision of the Court was wholly in favour of the appellants, and established in the legitimacy of deductions for exhaustion, the principle already accepted in local taxation that rents and profits ought, previous to assessment, to be subjected to the abatement necessary for ensuring the continuance of the income assessed. The result of that case showed the want of revision in the matter of Imperial Taxation. The questions at issue should be put into the hands of the excellent officials of the two Departments—the Inland Revenue and Local Government Board—and they should prepare a measure which would satisfy the intelligence and the moral sense of the country. The Income Tax had been painted in very dark colours; but it was not an Ethiopian who could not change his skin—it was rather a chimney-sweeper, who had been distorted and soiled by the filthy and tortuous work to which he had been doomed; but who, if he were cleansed and straightened, would be found conspicuous for purity, symmetry, and strength. He committed to the Chancellor of the Exchequer the responsibility of the necessary transformation—confident that, if it were undertaken with good will, the worst tax that they had would be converted into the very best.

Sir ANDREW LUSK hoped the House would not listen to any proposal to change their policy in respect to the repayment of the National Debt. He trusted the Government would keep to their resolve to pay off some portion of the Debt every year, because it was certainly their duty to do something to reduce it. He was not going into the details of the Income Tax. They all knew what the Income Tax was. It was no use calling it infamous; all taxes were infamous, if you like, all taxes were bad. He considered the Chancellor of the Exchequer did wrong in putting 2*d*. on the Income Tax. Their Expenditure was increasing year by year from various causes, and it was the duty of the Finance Ministers to consider how and why this was so, and where their money was to come from. It was good statesmanship to get rid of the difficulty by throwing 2*d*. on the Income Tax. Some other scheme would have to be devised; for, in case of war, the Income Tax would be the sheet anchor. The right hon. Gentleman the Chancellor of the Exchequer ought to spend as little as possible, because no country could prosper if its indebtedness was constantly growing. The right hon. Gentleman ought to take care of the expenditure, and meet it in such a way that the public would not grumble.

MR. GREGORY desired to make a few observations in reference to the proposed increase of the Tobacco Duties. They were still considering the Resolutions of the Committee of Ways and Means, and they were not actually bound to carry them out. The amount by which it was proposed to increase the Tobacco Duty was 4*d.* in the pound. It had been represented to him, and he confessed with some force, that that would operate with considerable hardship upon the retail dealers. The retail dealers in country districts sold their tobacco in quantities amounting to half-ounces, and the greater part of their sales took place in that quantity. Fourpence in the pound was so small a rate that it could not conveniently be levied on half-an-ounce. The tax would, therefore, fall upon the retail dealer, and not upon the consumer. A 6*d.* increase in the tax would operate much better than a 4*d.*, and it would also increase, to some extent, the indirect taxation which would be required. He would much prefer that only 1*d.* should be added to the Income Tax, and that the remaining sum requisite should have been raised by indirect taxation. In reference to the point raised by the hon. and learned Member for Chatham (Mr. Gorst), the Chancellor of the Exchequer had laid down a principle that a certain sum should be annually applied to the reduction of the National Debt—a principle which he hoped the right hon. Gentleman would wisely adhere to.

SIR GEORGE CAMPBELL said, it was quite clear now that the Income Tax must be a permanent source of their taxation; and, that being so, what remained to be done was that the Chancellor of the Exchequer would attempt to make it a just tax by removing the inequalities which now existed. The right hon. Gentleman the Member for Pontefract (Mr. Childers) had said, that by the increase of the minimum from £100 to £150, something like 250,000 persons had been exempted from the payment of the Income Tax. He was glad to hear that, because he considered it a just and proper exemption. He maintained that the Chancellor of the Exchequer had imposed on the classes which only paid indirect taxation a substantial liability for the cost of the military preparations now in progress.

THE CHANCELLOR OF THE EXCHEQUER said, he had not expected that a general discussion would have been raised to-day, but on Monday. Of course, it was equally convenient to him that these difficult points should have been brought under discussion now, as at a later stage. With regard to his hon. Friend the Member for East Sussex (Mr. Gregory), he thought he could only say that a 4*d.* rate upon tobacco had been viewed upon the whole as a fair proposal. He did not think it would be desirable now to enter into the question of altering that rate for a higher one, and he hoped it would not be found to lead to the difficulties which some people had anticipated. He was aware of the small purchases that were made by the mass of consumers, but there seemed to be a natural ignorance of the fact that farthings were used to a very large extent by the lower classes. He would not go into the subject further at present. With regard to the speech of his right hon. Friend the Member for the City of London, (Mr. Hubbard) there was something in it which he agreed with, and which the right hon. Gentleman had expressed with force and ability. There were also points in his speech upon which he had never been able to agree with him, and he was afraid he was in the same position yet. He was always ready to re-consider these matters, and he could assure the right hon. Gentleman he had given, and at all times was disposed to give, consideration to his representations. The case of Knowles and Others *v.* Macadam was one which required consideration; but he did not think it went the length that his right hon. Friend seemed to think it had done. If the view of his right hon. Friend was borne out by the decision in the case, he might as well leave the law alone. With regard to the Income Tax generally, he must demur from the view of his right hon. Friend, that this tax on chimney sweepers, as he had called it, could be made generally agreeable. He was satisfied that, do what they would, they could never make it such a tax that would fairly supersede the great mass of taxation. His right hon. Friend complained that the alterations which he had proposed in the present Budget were not sufficient to meet all the exigencies of the case, and he pointed to three grievances brought before him by a deputation the right hon. Gentleman accompanied. He had dealt with two of the three things, and he thought his right hon. Friend would admit he had done so satisfactorily. The third matter had reference to the Queen's Taxes being levied upon the net, and not gross value. That opened out a large subject for consideration, which, in due time, he would be prepared to discuss. All he could now point out was that if they did alter the basis of their assessment, and if they levied on the net, instead of the gross, they would, of course, reduce the yield; and, therefore, if they wanted to get the same income, they would have to raise the tax, and that would increase the tax upon every kind of property, and, according to the present estimate, also upon trades and professions. If that system were adopted, unless the incidence of taxation on trades and professions were altered, lawyers and doctors would pay an unfair share of the tax. He would also point out, that if they adopted this principle, they would have to re-adjust the House Duty. At present that duty fell on all houses above a certain rental. The result of the proposition of his right hon. Friend would be, that many houses now taxed would be exempt. There was another grievance which the right hon. Gentleman intended to bring forward in Committee on the Valuation Bill. It related to the taxing of a shop with a dwelling-house over it. There were certain distinctions in that case, and it would, therefore, be more convenient to discuss the subject when the clause bearing upon it was brought up. He thought he ought to show that there was not sufficient ground for the alteration proposed by the hon. and learned Gentleman the Member for Chatham (Mr. Gorst). The subject was exceedingly well argued, and his hon. and learned Friend, starting from the point he did, arrived at conclusions which he had not expected he would desire to place before the House; but which evidently were the logical conclusions from the premises he started from. He began by taking notice of the amount of the charge which would go this year towards the reduction of the Debt. The hon. and learned Member pointed out that it would be possible —instead of raising this money for the reduction of the Debt—by stopping the operation of the new Sinking Fund, and also by converting a certain class of the Terminable Annuities into Consolidated Stock, to meet the extraordinary Expenditure of the year without increasing their taxation. Obviously, that was the case to a certain extent, but the hon. and learned Gentleman must not take the whole £5,000,000 as capable of being converted. Still, he admitted, there was a certain proportion of annual payment which was going on for the reduction of Debt, which might, if Parliament wished, be divided for such purposes, so that they need not add to taxation. It seemed to him, that the argument of the hon. and learned Member would make it their duty to keep the taxes in the best possible state, without making any provision for the redemption of the National Debt. That was, virtually, the policy of Mr. Hume, who thought it better to employ money in taking off taxes than in buying Consols, and it had prevailed for some time—the Debt, meanwhile, remaining undiminished. It was a policy he admitted well worthy of consideration—it was a policy which, to a certain extent, was adopted by the right hon. Member for Greenwich, in 1860, for he chose to reduce taxes, rather than Debt; he proposed to reduce taxation instead of keeping up the system of Terminable Annuities. Ten years afterwards, the right hon. Gentleman took the opposite course. He never liked to lay down an absolute course on such a point as that, for he thought there were times when they ought rather to reduce taxation instead of Debt, and there were times when they ought to take steps for the reduction of Debt. All he desired to say was, that it was a matter of considerable importance to this country that, having deliberately established this system some years ago, they should not lightly depart from it. He should consider that, to give it up on an occasion when it was necessary to raise a sum of £5,000,000 or £6,000,000, would be virtually to destroy the whole plan. He quite admitted to his hon. and learned Friend, that if they were engaged in a great national struggle, and had to make provision for a large extraordinary Expenditure, they must in some way put a stop to this operation. But he would point out to him, that one of the sources of their financial strength was, that by simply devoting the sum now applied to paying off the Debt to the payment of interest, they could raise a very large sum without adding to taxation. That financial strength they would lose, if they tampered with this system on the very first occasion they had to meet a slightly painful necessity of an addition, such as was now proposed, to that taxation. He earnestly hoped—indeed, he was sure—that the House had courage enough to resist any such proposal. He did not know that there was anything else that he need at present enter upon. They should have the discussion of the details of the Budget on the clauses of the Customs and Inland Revenue Bill, and hon. Members would then have an opportunity of calling attention to any other points they might wish to raise.

MR. O'DONNELL desired to direct the attention of the Chancellor of the Exchequer to the great anomaly which was perpetuated from year to year in connection with the present Land Tax, and to suggest to him whether some attempt to remove the anachronistic character attaching to that tax might not be of great use towards lightening the burden of other taxes, as well as introducing something like symmetry into the Budget at large. The Land Tax yielded about £1,000,000 a-year, and the law said that that sum was the result of a rate of 4*s*. in the pound, levied on the full annual value of the land in Great Britain. But, when they looked at the full annual value of the property included within the scope of the Land Tax, they found that 4*s*. in the pound ought to produce some £39,000,000 a-year; so that the first thing which must strike them about the present Land Tax, was the extraordinary contradiction between the actual return of the Land Tax and that which would be its return, if it were carried out.

MR. SPEAKER: I have to point out to the hon. Member for Dungarvan, that he has given Notice to call the attention of the House to this matter on going into Committee of Supply, and that he cannot anticipate that discussion.

MR. O'DONNELL: I do not wish to take the opinion of the House, but only to throw out some suggestions as to the Land Tax in relation to the present Budget.

MR. SPEAKER: It is not open to the hon. Member to anticipate the discussion, he having already given Notice that he will take that discussion on going into Committee of Supply.

SIR GEORGE BOWYER wished to say a few words on the subject of the reduction of the National Debt. The weakness of the present position appeared to him to be this—that they were reducing the National Debt by means of a Sinking Fund, while they were adding to the taxation of the country in order to meet increased Debt. Suppose a man owed £10,000, and took measures to reduce the debt; but, at the same time, went on borrowing—how would he stand? It seemed to him, it would be more logical, instead of borrowing any money, as they were doing at present, to cease paying off what they owed before, and thus to avoid the increase of taxation, which, he thought, was almost a more dangerous thing than even the amount of the National Debt. He had always thought that a great fallacy underlaid the proposal to reduce the National Debt by means of a Sinking Fund, which rendered it necessary to draw upon the resources of the country, and to tax the people. He did not think that thereby any really substantial benefit was gained. In his opinion, the true way to pay off the National Debt would be by diminishing taxation—thus adding to the wealth of the country, and enabling the people so relieved to consume a larger amount of duty-paying articles. Every diminution of taxation was, *pro tanto*, a diminution of the Debt, because it meant an increase really of the resources and wealth of the country. If a man had a mortgage on his property, there were two ways of reducing it—either by borrowing, or obtaining money in some way or other to pay off the debt, or by increasing the value of the estate. If he increased the value of the estate, to that extent he diminished the burden of the mortgage. Their National Debt, although very large, was not so much as the Debt of some other countries. Certainly, in proportion to the resources of the two countries, the Debt of France was much larger than that of this country. He really thought that, having regard to the wealth and resources of this country, the National Debt was not anything which they should fear. There was an old saying—he forgot who originated it, but it was used by Mr. Joseph Hume—that the best thing they could do was, instead of taking money in the shape of taxes, to leave that money to fructify in the pockets of the people; and, certainly, if there were a period to which that doctrine was especially applicable, it was the present time, when there was a depression of trade, which had now more or less prevailed for several years. He did not make these remarks with a view of offering any opposition to the Budget of the Chancellor of the Exchequer—which, from the point of view of his right hon. Friend, was, he thought, a very good Budget—but by way of entering his protest against the policy of increasing Debt with one hand, and paying it off with the other.

Resolution *agreed to.*

Instruction to the Committee on the Customs and Inland Revenue Bill, That they have power to make provision therein in pursuance of the said Resolution.

PUBLIC WORKS LOANS BILL—[Bill 138.]

(*Mr. Raikes, Sir Henry Selwin-Ibbetson, Mr. Sclater-Booth.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [4th April], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

Sir GEORGE CAMPBELL said, he hoped the Chancellor of the Exchequer would consider the case of small burghs which were distant from London, and especially of such small Scotch burghs as those which he represented. Those burghs would have great difficulty in getting loans for local improvements, and that difficulty would not be got rid of until the existing system was remodelled and improved in such a way that the demands of local bodies for loans for public improvements might be checked, tested, and regulated. He had put a Motion on the Paper to the effect—

> "That it is expedient that arrangements should be made for providing information regarding local indebtedness and other local affairs in Scotland in a form similar to that furnished in regard to England."

He did not intend to persevere in his intention of putting that Motion, but he might make one or two remarks on the subject to which it referred. It might have been noticed—he, at all events, had noticed—that when the President of the Local Government Board recently made his Statement, there was not a word or a figure mentioned in relation to Scotland. He was far from blaming the right hon. Gentleman. No doubt, he had not the statistics before him, which would have enabled him to do so. It was his misfortune that Returns on this subject as applicable to Scotland were not collected by someone and placed before the House in the same manner as the Returns which referred to England and Ireland. The Home Secretary had held out a hope that some remedy would be applied, but none had yet been forthcoming, and the result was that in the statement of the President of the Local Government Board no reference had been made to Scotland in regard to one of the most important questions affecting that country. He had been particularly struck by that omission from the assertion of the right hon. Gentleman that the figures which he adduced referred to the 10 principal towns in the United Kingdom. London was the first city in the country, but he had always understood that Glasgow was the second. Yet no mention had been made of Glasgow. When the Home Secretary and other Members of the Government wished to be educated on the question of education, or on the subject of local taxation, they went to Scotland—they visited Glasgow and Edinburgh, and if the right hon. Gentleman the President of the Local Government Board had taken Scotland into account before making his Statement, he would have found that those cities had afforded the earliest and most successful examples of efforts in the direction of local improvements. If this question as to local statistics and indebtedness was to be satisfactorily settled, it appeared to him that it could only be solved in one of three ways. They must either turn the Scotch Poor Law Board into a Local Board of Works, extend the jurisdiction of the President of the Local Government Board, or make the proposed new Secretary Minister for Public Works in Scotland. He was one of those who were very much in favour of what he might call Federal Home Rule. At the same time, he was free to admit that in Scotland they were not very fond of what were called Edinburgh Boards—and there were some subjects, especially those of education and the expenditure of public money, in regard to which he thought it advisable that the affairs of Scotland should be administered in London rather than in Edinburgh. Whether the duty of providing such information as he desiderated was to be entrusted to the new Secretary for Scotland or to the President of the Local Government Board—and he might remind his hon. Friends that they had not yet got the new Secretary, though he hoped they would, as well as some other things for Scotland which the avocations and duties of the Lord Advocate prevented their having at present—he hoped that the function would be entrusted to a public officer, who would be paid from the Imperial Revenue, and not from local sources of income.

MR. CLARE READ said, he was one of those who thought that the vice of borrowing was not confined to individuals or to municipalities, but extended very greatly to nations. He regarded borrowing as one of the signs of civilization. All civilized nations had a good large Debt, and when a barbarous nation became civilized, the first thing that it did was to proceed to borrow money. He was of opinion, that when Parliament insisted upon schools being built and great sanitary measures undertaken by local authorities, the latter should be allowed reasonable access to the public money, even at the risk of slight loss to the Treasury. But, on the other hand, he earnestly protested against the borrowing of money by some municipalities and local authorities, not merely for necessary purposes, but for ornamental purposes, and even for luxuries. He suggested that the President of the Local Government Board should make a statement of the full indebtedness of the municipalities and local authorities of the country. The building of the Manchester Town Hall, for instance, had cost a sum which would prove a heavy mortgage on the rates of the city for ever; and Birmingham had a debt amounting to about 3½ years' rateable value of all the property in the town.

MR. THOMSON HANKEY thought the hon. Member for South Norfolk (Mr. Clare Read) had raised a very important question; but, at the same time, had laid down what he considered a very dangerous principle—namely, that whenever Parliament directed local improvements of an important character to be undertaken, it should be bound to find the money for them. The advance of public money, especially for long periods of time, was very objectionable; but it was the fault of Parliament itself, which had sanctioned and encouraged it. If advantage were taken, by those who desired to borrow money for public works, of a cheap rate of money, to borrow money repayable in a period of, say 50 years, the Chancellor of the Exchequer, on behalf of the nation, should consider at what rates he would be likely to be able to borrow money himself during that period. If that were not done, great confusion might arise, and great losses be entailed upon the State. It was a most serious matter for the Government to borrow money—say, on Exchequer Bills or on any other securities for short periods, perhaps, repayable in a few months—and to lend that money for a long period, say, perhaps, 20 or 30 years, and, probably, even for 50 years. He was also of opinion that the House ought not to sanction schemes for the improvement of towns where it was certain that the cost of making such improvements would have to be defrayed by loans of public money.

MR. PAGET said, he agreed with the hon. Member for South Norfolk, until he said it was the duty of Government to provide funds for local purposes, even at a loss to the Exchequer. In that he could not agree. There could be no doubt that the principle of prolonging the period of repayment of a loan over 50 years or so was one of great risk and danger. Long before that period had elapsed, the purposes for which the money had been given might have been worn out. At the same time, he could not see that there was anything wrong in principle in granting loans to certain districts in order to enable them to comply with statutory obligations. It was not a matter of great difficulty for towns like Manchester and Birmingham to borrow money in the market; and, if it were the case that they could do so on terms equally as favourable as if they applied to the Public Works Loan Commissioners, he thought the latter body should have power entirely to disregard applications for loans in such cases. He desired, however, to put in a plea for the smaller places and the rural districts, where obligations existed which had only recently been created by statute, and where there was great difficulty in finding the means which were necessary to carry those obligations into effect.

Mr. DILLWYN was of opinion that the Government were raising money too freely, and lending it for purposes for which it ought not to be lent. Now that the House was asked to sanction a further expenditure of upwards of £6,000,000, they ought to look into the facts; and, if they did so, they would see for what an immense variety of local purposes public money had been lent. Among them were county and borough rates, poor rates, Metropolitan Board of Works rates, urban sanitary and rural sanitary rates, sewers companies, drainage, embarking, school boards, burial boards, churchwardens, and several others. He did not see what the churchwardens could want, to be borrowers for the public. Among these sums, he found that £70,672,159 had been borrowed on the security of the rates, and a further large sum on the security of tolls and dues. The localities that required money to effect local improvements ought, as a rule, to go to the market rather than to the Government. He did not think that advances on the security of tolls and dues were open to the same objection as those made on the security of rates—as, in the latter case, there was danger of its being lost, or, in the case of default being made, of the State being placed in an invidious position. He admitted that there might be cases in which it was very desirable that, for the purpose of effecting improvements, advances should be made by the State; but some check should be put on these advances, and he should be very glad if the House would make a declaration to that effect.

Mr. GREGORY observed, that the Local Government Board did not lend money on the security of tangible property, upon which they could enter, or which they could realize or convert into money, as in the case of ordinary mortgages; but they lent money to local authorities simply upon the power of those authorities to levy rates. If the local authorities refused to levy rates, the Local Government Board would be compelled to apply to the Court for a *mandamus*. But, even if a *mandamus* were granted, it might be that the Local Government Board had gained nothing by that step. *Mandamuses* had been granted against local authorities who had no power to do what the *mandamuses* required them to do.

Mr. A. H. BROWN expressed his concurrence in the observations of the hon. Member for Peterborough (Mr. Thomson Hankey) and, subject to their being no loss to the Exchequer, he did not see that there should be any hesitation on the part of the Government in lending money for local improvements, when provision was made for the repayment of the principal along with the interest. Some amendment of the manner in which the money was raised was advisable, however.

General Sir GEORGE BALFOUR approved loans for certain purposes; but, in addition to the other dangers which had been pointed out in connection with the system, warned the House against the very serious evil of divided responsibility which now existed in regard to the supervision of those advances. He held that the President of the Local Government Board ought to be charged with the sole duty and responsibility of looking after the appropriation of those moneys, and that the Public Works Loans Commissioners should be placed in direct communication with that right hon. Gentleman. He also complained of the deficiency of information regarding loans for Scotch works of improvement. He also wished more information in regard to the loans made in England and Ireland. The Wigan loan had been in force since 1853, and he believed that no Member of the House knew anything of the matter. If they desired to have accuracy, and avoid favouritism, they ought to make known what loans were in force, and those which were proposed. More explicit information in regard to the losses under this system was also desirable. In the absence of such information, it was impossible to secure that due and adequate control over that system of borrowing which was essential to guard against abuse. He hoped the Government would consent to the insertion of the clause by which all the transactions of the Commissioners might be brought under the inspection of the Controller and Auditor General.

Mr. SCLATER-BOOTH, in reply, said, with regard to the money borrowed, that the greater part of it was owing, not to the Loans Commissioners, but to private persons, and was neither raised by the authority of the Bill nor of any Public Department. Parliament, in its wisdom, permitted the borrowing of this money, and permitted the time for repayment to be spread over many years. The Public Departments could always limit the number of years for which a sum of money was to be borrowed according to the character of the works proposed to be carried out under that loan. The Commissioners, in order to prevent loss to the Treasury, had the power to charge higher interest for loans over 30 years; but there was nothing to prevent Parliament from requiring the local authority to borrow in the open market, and permitting the extension of the repayment over any period of time. In some cases 80 years had been allowed. The large sum of money which appeared to be owing by the Metropolis was composed of loans in the Consolidated Stock of the Metropolitan Board of Works, with which the Public Works Loan Commissioners had nothing to do. The hon. Member for East Sussex had been mistaken in supposing that there was no power at law of recovering money lent upon the rates. Provision had been made for doing so; but, as far as he knew, there had been no cases of default, while there were constant repayments of principal.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

HIGHWAYS BILL—[BILL 95.]

(*Mr. Sclater-Booth, Mr. Salt.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [18th February], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

MR. PARNELL thought it would be desirable for the Government to refrain from pressing the second reading, and agree to a further adjournment of the debate until some progress had been made with the County Government Bill,—the two subjects being intimately connected.

MR. SCLATER-BOOTH said, he had promised on a former occasion not to proceed with the Bill in Committee till some further progress had been made with the County Government Bill. His present object was to pass the Bill through its second reading.

MR. D. DAVIES suggested that the shoes of traction engines should be four inches broad and not less than an inch thick. He also maintained that some exemption should be made in the case of owners of traction engines from the penalties inflicted for the non-consumption of smoke. There was an impression that engines could be made to consume their own smoke; but it was erroneous, as it was impossible to avoid causing some smoke when a traction engine was fired. Men were put on in some places in Wales to watch when an engine was fired with the view of getting the penalty of £5 inflicted. He hoped the President of the Local Government Board would look to this matter, and in some way by legislation obviate such an injustice.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

STATUTE LAW REVISION (IRELAND) BILL—[BILL 122.]

(*Mr Attorney General for Ireland, Mr. James Lowther.*)

SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL FOR IRELAND (MR. GIBSON) moved that the Bill be now read a second time, and stated that it made an important step towards the revision of the Irish ante-Union Statutes, and carried the work down to 21 *Geo.* II. If the Bill was now read a second time, the Committee stage should not be taken until after Easter.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General for Ireland.*)

MR. PARNELL admitted the Irish Statute Book sorely needed revision, and was sorry to have to ask the House to postpone the second reading. The duty of revision, so far as Ireland was concerned, had been long neglected by the Law Officers; and now, when it was undertaken, he could not understand why they should stop short at the reign of George II. It might be said that the work must go on, as in the case of England, by several successive Bills; but, still the right hon. and learned Gentleman would do well to defer the Bill for a Session, until he was in a position to revise the Statute up to the Preventive Act—an obsolete Act passed in the reign of George III.

And it being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

The House suspended its Sitting at five minutes to Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE MURDER OF THE LATE LORD LEITRIM.—RESOLUTION.

Mr. O'DONNELL rose to call attention to the action of the Government in Donegal with reference to the murder of the late Lord Leitrim, and to move—

> "That it is unconstitutional, unsuited to promote the ends of justice, and calculated to foster disbelief in the impartiality of the Law."

Dr. KENEALY rose to Order. He had a Notice on the Paper prior to that of the hon. Member for Dungarvan.

Mr. SPEAKER said, that the hon. Gentleman was not in his place when the Motion now before the House was made, and that he had called upon the hon. Member for Dungarvan, who moved his Amendment.

Dr. KENEALY: Then I move the adjournment of the House.

Mr. SPEAKER: The hon. Member for Dungarvan is in possession of the House.

Mr. O'DONNELL accordingly proceeded to address the House. He said: I do not know, Sir, that I could better bring the facts of the case before an audience which is so largely composed of English Gentlemen than by supposing an imaginary case, which, with the substitution of a few names of persons and places, may easily afterwards be applied to the case of this deplorable murder in Donegal, and to the manner in which the Government are carrying on the inquiry for the discovery of the assassins. I would ask the House to imagine that on some morning the news appeared in the London papers that a terrible outrage had occurred in some quiet dale of Cumberland, in the midst of a population conspicuous for their law-abiding virtues, conspicuous for their patient industry, and conspicuous for the practice of their duties of family and civil life. I would further ask the House to suppose that a landlord in Cumberland, accompanied by two servants, had been suddenly attacked in a lonely part of the country, and had been shot down, and not only he, but his casual assistants and servants ruthlessly murdered along with him. Such an occurrence as that happening in Cumberland would have riveted the attention of England. But if, on further inquiry, it was discovered that while no portion of Cumberland was more conspicuous for its orderly virtues, and for the absence of vice and crime, yet, nevertheless, that that portion of what was believed to be a happy English county, had been for years practically at the mercy of one man who, by the lamentable shortcomings of the English Land Law, had been enabled to execute the caprices of some baron of a semi-barbaric stage and civilization by means of the chicanery of nineteenth century legal procedure; if, further, it had been discovered that for more than a quarter of a century these Cumberland dalesmen had been exposed to the tyranny of a mental and moral torture, that they had been in the power of a man of iron will and ruthless passion, who practically exercised absolute power—if it was known, on inquiry, that whole villages had been cleared away, that the valleys in some cases had been swept clear of their inhabitants, that over all was continually hanging the doom of eviction, or of some punishment akin to eviction; and if, Sir, it was known that in spite of all that continual harassment and torture, these wholesale evictions and that systematic extermination, the relation between the landlord and his Cumberland tenantry had never been stained by one excess of an agrarian character on the side of this unfortunate tenantry; if, further, it were ascertained that the only case in which that Cumberland landlord had been exposed to outrage, attempted violence, and attempted assassination, was when his life was attempted by the uncle of the humble girl whom he had dishonoured—["Oh, oh!"]—it would have flashed with a strength of conviction upon the minds of all men that in such a long-tried and law-abiding community—["Oh, oh!"]—whom no extremity of suffering during 25 years had goaded to a violation of the law—it would have struck every Englishman talking to his brother Englishman that it would be in the highest degree unlikely that these peasants had entered into a widespread conspiracy of a mere agrarian character, and that the murder which had taken place would have required an enormous amount of proof to bring it within the category of mere attempts levelled against life and property, if, on further examination, it was shown that this landlord was known throughout all the Northern counties as "the bad Earl." ["No, no!" *and* "Shame!"]

Sir ALEXANDER GORDON: I beg to ask, Sir, if this is language which is fit to be addressed to the House of Commons?

Mr. PARNELL: I ask you, Sir, to protect the privilege of speech in this House, when that speech is confined to the truth.

Mr. O'DONNELL, resuming: If such a man had been noted for his debauchery——[*Cries of disapprobation.*]

Mr. KING-HARMAN: I ask the hon. Member whether he can give proof of what he says, or whether he is maligning the memory of the dead Earl on a matter of which he has no knowledge?

Dr. KENEALY: There seems to be a systematic attempt to interfere with the freedom and independence of Parliamentary speech.

Mr. SPEAKER: The language which the hon. Member has addressed to the House is, no doubt, to be deprecated as being very strong; but, at the same time, I am not prepared to say that he is not within his right in using the expressions in question.

Mr. O'DONNELL: I have endeavoured to push my forbearance to the utmost in the case of the hon. Member for Sligo (Mr. King-Harman). What I state, it will be for this House to consider the value of at the conclusion of my speech. I am endeavouring, at present, to bring the broad questions of right, of law, and of justice before the House. I have carefully taken a sort of imaginary case, and this House will be able then to find out whether that which I have imagined with regard to Cumberland may be a parallel capable of application elsewhere. Sir, if it was found that this landlord, known throughout all the Northern country of England as "the bad Earl," had carried on practices of debauchery, and had carried them on not only by means of the vulgar wiles of seduction, but by means of his authority and power as a landlord—by means of the power of eviction so plentifully placed in his hands—if it was known through all the country, beyond the possibility of a doubt, commented upon in the public Press, denied nowhere and by no one, that he had placed the alternative of eviction or dishonour before the peasant girls on his property, and that when his infamous advances had been slighted, he had carried out his threat of eviction——

Mr. KING-HARMAN: Mr. Speaker, I beg to say that I see Strangers.

Mr. SPEAKER: The hon. Member, having taken notice of the presence of Strangers, I am bound to take the course I have taken upon a former occasion, and to put the Question at once to the House, Whether Strangers be ordered to withdraw?

Question put.

The House *divided*:—Ayes 57; Noes 12: Majority 45.

AYES.

Agnew, R. V.
Assheton, R.
Beresford, G. de la Poer
Blake, T.
Bourke, hon. R.
Burrell, Sir W. W.
Cecil, Lord E. H. B. G.
Charley, W. T.
Cordes, T.
Corry, J. P.
Crichton, Viscount
Cross, rt. hon. R. A.
Dalrymple, C.
Davies, D.
Dyke, Sir W. H.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Elphinstone, Sir J. D. H.
Fremantle, hon. T. F.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Gordon, W.
Halsey, T. F.
Hamilton, right hon. Lord G.
Heath, R.
Holker, Sir J.
Knight, F. W.
Knowles, T.
Lechmere, Sir E. A. H.
Lindsay, Col. R. L.
Lloyd, S.
Lloyd, T. E.
Lowther, hon. W.
Macartney, J. W. E.

Mandeville, Viscount
Mellor, T. W.
Merewether, C. G.
Noel, rt. hon. G. J.
Northcote, rt. hon. Sir S. H.
Onslow, D.
Puleston, J. H.
Read, C. S.
Ritchie, C. T.
Round, J.
Sanderson, T. K.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Sidebottom, T. H.
Somerset, Lord H. R. C.
Spinks, Mr. Serjeant
Stanhope, hon. E.
Talbot, J. G.
Tennant, R.
Thynne, Lord H. F.
Wheelhouse, W. S. J.
Wilmot, Sir J. E.
Winn, R.

TELLERS.
Gordon, Sir A.
King-Harman, E. R.

NOES.

Burt, T.
Cameron, C.
Delahunty, J.
Gladstone, rt. hon. W. E.
Hartington, Marq. of
Hopwood, C. H.
Jenkins, E.
Kenealy, Dr.
Lowe, rt. hon. R.
Power, J. O'C.
Whitbread, S.
Whitwell, J.

TELLERS.
O'Donnell, F. H.
Parnell, C. S.

After this division, Strangers were excluded, and it was understood that the debate proceeded for some hours:—at the end of which time——

Question again proposed, "That Mr. Speaker do now leave the Chair."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the action of the Government in Donegal with reference to the murder of the late Lord Leitrim is unconstitutional, unsuited to promote the ends of justice, and calculated to foster disbelief in the Impartiality of the Law,"—(*Mr. O'Donnell,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Question put, and *agreed to.*

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

BILLS OF SALE BILL—[BILL 90-129.]

(*Mr. Sampson Lloyd, Mr. Norwood, Mr. Monk, Mr. Ripley.*)

CONSIDERATION.

Order for Consideration read.

Bill, as amended, *considered.*

THE ATTORNEY GENERAL (Sir JOHN HOLKER) moved in page 1, after Clause 5, to insert the following Clause:—

(Certain mortgages to be subject to this Act as bills of sale.)

"Every conveyance, mortgage, or assignment of land or hereditaments whereby the grantor or assignor, being an occupier of such lands or hereditaments, grants, conveys, or assigns any trade fixtures, shall, so far as regards such trade fixtures, be subject to all the provisions of this Act as if the same were a bill of sale to which this Act applies. In this section 'trade fixtures' means any fixtures which the grantor or assignor of such conveyance, mortgage, or assignment would, if he were a tenant of the premises, have (as between himself and the landlord in the absence of special agreement) power to sever and remove."

MR. GREGORY considered that the effect of the clause would be to compel the registration of every security upon a mill or factory, and thereby very great injury would be done to the commercial community; because all bills of sale which were liable to be registered were subsequently published in journals which had a general circulation.

Motion *agreed to.*

Clause read a second time, and *added* to the Bill.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) moved, in page 5, after Clause 10, to insert the following Clause:—

(Subsequent bill of sale of same goods, for same consideration to be void.)

"Whenever, hereafter, a bill of sale is executed in consideration of, or to secure a debt, money, or money's worth, and afterwards another bill of sale is executed in consideration of or to secure the same debt, money, or money's worth, or any part thereof, the subsequent bill of sale, so far as regards the property in, or right to, the possession of any personal chattels comprised in or made subject to the former bill of sale, shall be null and void, to all intents and purposes, as against the same persons, and to the same extent as the former bill of sale, shall, under the provisions of this Act, be null and void, notwithstanding that the requirements of this Act shall be complied with, as to the subsequent bill of sale, or the time allowed for complying therewith shall not have elapsed."

MR. DODDS said, this clause was a most objectionable one, and if insisted upon must have the effect of destroying bills of sale and security altogether. He most earnestly hoped, therefore, it would not be pressed, because the result must be most disadvantageous to the obtaining of securities in this country.

MR. MORLEY differed from the opinion just expressed by the hon. Member for Stockton (Mr. Dodds). Bills of sale were viewed with considerable jealousy by the mercantile community, and he hoped the clause would be agreed to.

Motion *agreed to.*

Clause read a second time, and *added* to the Bill.

Further Amendment made.

Bill to be read the third time upon *Monday* next.

House adjourned at a quarter before One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 15*th April,* 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Telegraphs* (77).
Second Reading—Medical Act, 1858, Amendment (44); Railway Returns (Continuous Brakes) (75).
Third Reading—Local Government Provisional Orders (Bristol, &c.)* (53); Bills of Exchange (Acceptance)* (71), and *passed.*

RESERVE FORCES.

HER MAJESTY'S ANSWER TO THE ADDRESS.

THE LORD STEWARD OF THE HOUSEHOLD (Earl BEAUCHAMP) *reported* the Answer of Her Majesty to the Address of Monday last as follows, viz.:—

> "I thank you for your loyal Address.
>
> "I rely with confidence on your hearty co-operation in all measures which may be necessary for upholding the honour of My Crown and for promoting the best interests of My Empire."

SOUTH AFRICA—OUTBREAK OF THE NATIVE TRIBES.—QUESTION.

THE EARL OF KIMBERLEY asked the Under Secretary of State for the Colonies what was the latest intelligence from the Cape?

EARL CADOGAN said, that the last official written despatch was from General Thesiger, and dated March 12th. From that despatch, it appeared that the Chief Sandilli, with a large force of Kaffirs, was in the Bush, and that General Thesiger was concerting measures to surround those Kaffirs. Since then, there had evidently been a great deal of Bush fighting; but he could give no official confirmation of the telegrams which had appeared in the papers. Perhaps the best thing he could do was to read the two telegrams which had been received at the Colonial Office from Sir Bartle Frere. The first was as follows:—

> "March 19th. (Received April 6th.) Waterkloof and Blinkwater cleared and occupied by force under Colonel Palmer, without loss. Amatolas being cleared to-day by force under direct command of General Thesiger. Robber bands, finding little safety in ancient fastnesses, are apparently breaking up, and rebels in many quarters anxious to lay down arms."

The next was dated March 26th, and was received yesterday—

> "Am glad to report Lieutenant-Colonel Warren, R.E., quite recovered from his accident. He was reported killed in action last week, and news of his death was telegraphed to English newspapers."

The names of the officers given in the newspapers as killed and wounded were all local officers, except Major Warren. There was another telegram from Sir Bartle Frere relating to the Transvaal—

> "March 18. I trust before long to send reinforcements to the Zulu frontier of the Transvaal, where there are no signs of improvement."

He had just laid on the Table another set of Papers, bringing the history of those events up to the 15th of February, and he hoped to very shortly present others containing news up to six weeks later.

MILITIA ARTILLERY UNIFORMS.

QUESTION.

In reply to Lord WAVENEY,

VISCOUNT BURY said, that the tunic would not be issued to the Militia Artillery while disembodied. The frock was issued instead, according to the recommendations of the Militia Committee of 1876. It was then proposed, and had since been carried out, that the Militia should, while not embodied, be clothed in the undress of their several territorial regiments. The frocks were precisely the same as those supplied to the Royal Artillery and worn by them on every ordinary occasion, such as guard mounting, field days, &c., the tunics of the

Royal Artillery being worn only on full dress. In case of foreign service, both the Royal Artillery and troops of the Line would leave their tunics behind; so that, in that event, the Artillery and Line Militia would be dressed exactly the same as the corresponding troops of the Regular Army. In case of embodiment, the Militia would receive both helmets and tunics.

MEDICAL ACT, 1858, AMENDMENT BILL.

(*The Lord President.*)

(NO. 44.) SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2^a."—(*The Lord President.*)

THE MARQUESS OF RIPON said, the Bill dealt with the important question of how in future persons were to obtain a licence to practice Surgery and Medicine in the United Kingdom. At the present time there were in England, Ireland, and Scotland 19 different Bodies that could give certificates of competence, and whose diplomas entitled the holder to have his name placed on the Medical Register. It was scarcely necessary to point out the inevitable effect of allowing so many distinct Bodies to confer a title to practice—the natural consequence was that some of those Bodies were tempted to underbid the others as to the terms on which they granted their licence. Consequently the public had not the necessary security that the holder of a licence had the minimum qualification which ought to entitle a man to practise as a surgeon or a physician. It was felt very generally that there ought to be but one Examining Board—or that, at most, there ought to be only one for each of the three parts of the United Kingdom—through which admission to the Medical Register could be obtained. Since 1858, when the present Medical Act was passed, there had been almost continuous, but unsuccessful, attempts to establish what was known as "the conjoint scheme." And, as the Bill of his noble Friend the Lord President did not propose to deal peremptorily with this state of things, but was merely permissive, it would leave the matter of the conjoint scheme where it had been for the last 20 years. His noble Friend had expressed a hope that before the Bill went through both Houses, such a scheme would have been established for England; but he held out no hope that such a scheme would, by that time, have been established for either Ireland or Scotland. He only went the length of saying that, when conjoint schemes were framed for those countries, they would, under the Bill when it became an Act of Parliament, obtain legal force. His noble Friend must, by this time, be aware that the College of Surgeons of London, the College of Physicians of London, the Syndicate of the University of Cambridge, the representative of the University of Oxford on the Medical Council, and the Representative of the University of London, had all condemned this Bill for its want of compulsory provisions for the establishment of Conjoint Examining Boards. This was not a case of old Corporations wishing to uphold their own privileges, but that of important public Bodies, who were ready to make a sacrifice of their own independence in the matter of licences to practice and to agree to a conjoint scheme, provided they were not exposed to the competition of small bodies remaining outside that scheme, and having power to grant similar licences. His noble Friend had, no doubt, seen in *The Times* of Saturday, a report of a meeting of the Medical Council, held on the previous day, at which a resolution in favour of the introduction into the Bill of a compulsory provision for the establishment of Conjoint Examining Boards was proposed by Professor Humphry, seconded by Sir James Paget, and carried by a large majority. The resolution declared that nothing short of the compulsory establishment of such Boards in each of the three portions of the United Kingdom could be deemed satisfactory. The British Medical Association—a body numbering, he believed, 7,000 members — strongly objected to the Bill, because it was permissive in respect of Conjoint Boards, and on another ground. As in 1870, the British Medical Council were strong enough to procure the rejection of his Bill, which was compulsory, he thought his noble Friend had every reason to fear that his measure might not meet with a better fate. He thought it self-evident that the public must be in favour of one Examining Board. The Bill would also form an almost insuperable barrier to the admission of women to the Medical Profession. Foreign practitioners, also, who held high-class diplomas from their own authorities, complained that they had not been sufficiently considered in the Bill. He did not propose to challenge the opinion of the House on the second reading. As probably the resolution arrived at by the Medical Council was not in the hands of his noble Friend till Saturday, he should not ask him for a positive opinion at the present moment; but he did hope that his noble Friend would seriously consider the question between that stage and the Committee on the Bill, and would see his way to make the establishment of Conjoint Examining Boards compulsory. His noble Friend had a great opportunity of settling an important question, and he hoped he would not avail himself of a political majority to pass a Bill which would settle nothing, and which would put off indefinitely a needful reform for which the public had been waiting for the last 20 years.

THE DUKE OF RICHMOND AND GORDON said, he was glad to hear that his noble Friend was not going to challenge the second reading; because if he did so, and he were successful, as he seemed to think might be the case, he would indefinitely postpone the settlement of a question which they all wished to see settled. The objections of his noble Friend were chiefly directed to the absence of a Conjoint Board to carry out the Examinations in the three kingdoms, and he would confine himself to that point. The history of the Bill was this. In the month of May of last year he received from the General Medical Council, through its President—of whom one could hardly say too much, either from a professional point of view or in reference to the manner in which he discharged his duties as President of that Body—a Memorial, in which he was asked to deal with five points on which they thought legislation desirable. First, the Foreign and Colonial degrees; second, the registration of the medical qualifications of women; third, the appropriation of penalties under the Act; fourth, registration of midwives; fifth, the lunacy laws. It was a remarkable fact that no suggestion of the conjoint scheme was included in that Memorial. He did not say that Council was not alive to it; but, certainly, the question was not brought under his notice by the Medical Council. He was quite willing to admit that if there were a uniform and satisfactory test—more especially with this Bill—it would be possible to deal with unqualified practitioners in a more stringent manner than they could now be dealt with; and he thought it possible that the best mode of having such a test was by means of a Conjoint Board. His noble Friend, when filling the Office which he had now the honour to occupy, had endeavoured to legislate on the subject, and his experience in 1870 had led him to very candidly acknowledge that the task was no easy one. There were a number of interests which required considerable attention in order that a means of reconciling them might be found, and it was by no means clear that success in that direction was attainable. In England the difficulty in respect of a conjoint scheme was not so great. All the medical authorities, except three, were centred in London, and the Universities of Oxford, Cambridge, and Durham did not object to such a scheme. In Ireland, again, as all the Medical Bodies were more or less centred in Dublin, he did not imagine there would be any great difficulty. In Scotland, however, the case was otherwise. There were the College of Surgeons, the College of Physicians in Edinburgh, and the Faculty of Physicians and Surgeons in Glasgow; the Universities of Edinburgh, Glasgow, Aberdeen, and St. Andrew's, all of which would be very much affected by a conjoint scheme. The fact was, so desirous had he been, if possible, of coming to some conclusion which would enable him to legislate on this difficult subject, that he had adopted the alternative which his noble Friend condemned so severely, and made the provision as to a conjoint scheme permissive for the three parts of the United Kingdom; and, in order to meet the objection to the provision being only permissive, he had raised the qualification of medical practitioners by providing that no person could be placed on the Register of the Medical Council who did not possess two qualifications—one in surgery, and the other in medicine. He was quite ready to admit that this was not the best solution of the difficulty, but it was a step in the right direction, supposing that it was not possible to insert in the Bill a compulsory clause for the three parts of the United Kingdom. He was aware of the objections taken to the Bill by the Medical Bodies to which his noble Friend had referred; he knew that they were not satisfied with the absence of compulsory powers for the formation of Conjoint Boards from the Bill—and he (the Duke of Richmond and Gordon) was far from saying that there ought not to be a Conjoint Board—he thought it would be dishonest of him to say that it would not be an advantage to the country; but it was not always easy to carry out by Act of Parliament what one thought desirable. The clause in the Act referring to the medical examination of women was inserted to cure a technical defect in Mr Russell Gurney's Act, and would not render it more difficult for women to enter the Medical Profession, except inasmuch as it raised the standard of qualification for registration, by requiring a double qualification from all persons who sought to be put on the Register. He hoped, notwithstanding all the formidable objections that had been raised to the Bill, it would speedily become law.

Motion *agreed to;* Bill read 2ª.

PROJECTILES—SHELLS AND ARMOUR-PLATES.

MOTION FOR RETURNS.

THE DUKE OF SOMERSET, in moving for Returns respecting the trials of shells against iron plates, said, that at the close of the Crimean War they were told that their ships and gunboats plated with 4-inch plates would not keep out the shot that would be used against them. Since then, they had been constantly making experiments, and the thickness of their plates had grown to 12 inches. These, also, at the time of their adoption, were deemed to be impervious. While they had been making experiments in thickness, they had been also making experiments in quality. But they had been improving their guns too, and it appeared that shells fired out of comparatively small guns could pierce their 12-inch plates. Scientific men seemed to be agreed that the use of wrought iron for the purposes of warfare was becoming obsolete—it was not strong enough either for shells or for guns. They had not, however, got a sufficiently good quality of shell. It was now necessary that they should have a stronger metal, and it appeared to him that that stronger metal was to be found in the steel recently introduced by Sir Joseph Whitworth. The strength of this metal had been tested at recent trials, and it had been found that the shells were able to penetrate iron plates that had before resisted shells made of the usual metal. There was no reason why both the shells and plates should not be made of the stronger metal. He believed that if they had shells made of better metal than that now in use, a 40 or 50-ton gun would do everything which they now required from a 100-ton gun, and he thought that they might produce a plate that would resist anything of inferior iron. He believed they could not only make a better gun, but they could have iron of far greater strength without getting more weight; and, if that could be done, it would be a great advantage, because there would be less weight to carry, and they would have a more powerful shell. If Sir Joseph Whitworth's shell carried double the charge of the Woolwich shell, and if they wanted a still longer range, they must have a more rapid twist, and they could have a more rapid twist if they had a gun of strength sufficient to bear that more rapid strain. He believed that all this could be done, and he was, therefore, anxious to draw the attention of the noble Lord who represented the War Office to the subject. He should be glad to hear that the experiments now going on would be conducted fairly—because, after all, Woolwich was a manufacturing Department which had a natural prejudice in favour of its own plans, and he hoped that that would not be allowed to interfere with the fairness of the trials and with their obtaining the best projectile as the result of them. He had, therefore, formally given Notice of a Motion for a Return of the trials of shells against iron plates, stating the general result, and also the weight and shape of the various shells, and the thickness of the iron targets.

Moved that there be laid before this House, Return of the trials of shells against iron plates, stating the general result, and also the weight and shape of the various shells, and the thickness of the iron targets.—(*The Duke of Somerset.*)

LORD WAVENEY suggested, that in the Returns to be presented to the House there should be a separate column showing whether the shells were cylindrical or otherwise.

VISCOUNT BURY said, the trials at Shoeburyness referred to by the noble Duke were being carried on by a Committee composed of Royal Artillery, Naval men, and Engineers, and, although they were nearly completed, it would be premature at this time to consent to the production of the Return described in the Motion. As to the suggestion of the noble Duke that the authorities of Woolwich might have a bias in favour of their own weapons and projectiles, he could assure the noble Duke that there was no bias in the minds of the officials for or against any particular inventor or class of shell, and the matter would be considered absolutely on its merits, with the idea of producing the most perfect projectile and gun. They were quite aware that Sir Joseph Whitworth, with very great ingenuity and by the aid of the appliances at his command, had produced a steel very much stronger than any yet tried, and that was one of the points before the Committee at Shoeburyness. The results would be published in due time; but it would be quite premature to say anything before the experiments were concluded.

THE DUKE OF SOMERSET said, of course, if the Returns were not complete, he would not now press for them; but if there was no objection on other grounds, and he could not think there was, he should again move for them after Easter.

Motion (by leave of the House) *withdrawn.*

RAILWAY RETURNS (CONTINUOUS BRAKES) BILL—(No. 75.)

(*The Lord Henniker.*)

SECOND READING.

Order of the Day for the Second Reading, read.

EARL DE LA WARR said, that although the Bill introduced by his noble Friend who represented the Board of Trade on behalf of Her Majesty's Government (Lord Henniker) dealt, and that very slightly, with one only of the recommendations of the Commission on Railway Accidents, he was, nevertheless, willing to support it as a provisional measure. At the same time, he was not without hope that further legislation might be rendered unnecessary by the action of the Railway Companies themselves. If Her Majesty's Government were unable at the present moment to deal with the whole question of railway accidents as submitted in the Report of the Royal Commission, they had selected one subject of material importance, and upon which the Bill would enable them to obtain valuable information. He did not believe there was any Railway Company who would now dispute the utility and the necessity for the public safety of continuous brakes. The only question was, which is the best and the most serviceable form of brake? and in these circumstances, there was naturally some hesitation in fitting and adapting a particular brake to a large quantity of rolling stock until it was ascertained which kind was the best and most approved. But this difficulty was gradually being overcome by the scientific and engineering intelligence which was brought to bear upon it. As regarded the adoption of one form of brake, it was, no doubt, desirable that there should be as much uniformity as possible; but it did not seem to be absolutely necessary that lines which were not in communication with one another should have the same brake, provided the one that was adopted fulfilled the requirements of the Board of Trade. But in the case of Companies having lines in connection with one another—as, for instance, the North-Western and the Caledonian—it seemed to be essential that the same form of brake should be used. With reference to this, when the Bill was in Committee, he should wish to propose a slight Amendment in the Schedule.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

TELEGRAPHS BILL [H.L.]

A Bill to make further provision respecting the Post Office Telegraphs—Was *presented* by The LORD CHANCELLOR; read 1^a. (No. 77.)

House adjourned at half past Six o'clock,
till to To-morrow, a quarter
before Four o'clock.

HOUSE OF COMMONS,

Monday, 15*th April*, 1878.

MINUTES.]—Select Committee—Gold and Silver Hall Marking, *appointed;* Parliamentary and Municipal Elections (Hours of Polling), Sir Henry Selwin-Ibbetson *discharged,* Sir Matthew White Ridley *added.*

Public Bills—*Resolution in Committee—Ordered—First Reading*— Burial Law Amendment [154].

Ordered—First Reading—Tramways Orders Confirmation (Nos. 1 and 2) * [151 and 152]; Gas and Water Orders Confirmation * [153]; County Representative Councils (Ireland) * [155].

Second Reading — Adulteration of Seeds Act (1869) Amendment [139].

Select Committee—County Courts Jurisdiction (No. 2) * [102], *nominated.*

Committee—Blind and Deaf-Mute Children (Education) (*re-comm.*) [130], *deferred.*

Committee—Report—Customs and Inland Revenue * [146]; Public Works Loans * [138].

PRIVATE BUSINESS.

TRAMWAYS (USE OF MECHANICAL POWER) BILLS.

Mr. RAIKES moved the following Resolution :—

"That it be an Instruction to the Committee on Tramways (Use of Mechanical Power) Bills, that they have power to deal with all Tramway Bills of the present Session, whether opposed or unopposed, which have been referred to them, notwithstanding that the Promoters may be desirous to withdraw from any such Bills the Clauses whereby it was proposed to authorize the use of steam or other mechanical power:—That the Dublin Southern District Tramways Bill be re-committed to the said Committee."

Mr. ARTHUR PEEL, as Chairman of the Committee to which the Tramways Bills had been referred, wished to remind the House that the Committee was appointed under very anomalous circumstances, and had very anomalous duties to discharge. To it was referred a great number of Bills which involved the application of steam to tramways. The Committee were also called upon to settle some rules and regulations which were hereafter to govern the application of steam and other mechanical power to tramways in the event of such applications being continued. A case came before the Committee in the course of their sitting—namely, the South Dublin Tramway Company's Bill, which they regarded as a sort of crucial case, seeing that it involved the application of steam to the tramways sought to be constructed. The case was argued before the Committee for two days, and, as was only natural, great stress was laid upon the application of steam to two of the tramways in the southern district of the city of Dublin. The opponents of the Bill were a Railway Company, and they were expressly admitted to have a *locus standi* before the Committee; because tramways worked by steam power were a novel invention, and would place the undertaking in the light of a railway. It was, therefore, regarded as one railway competing against another; and it was upon that ground, and that ground only, that the opposing Railway Company were allowed to have a *locus standi.* The Railway Company appeared before the Committee in opposition to the Bill; but, on the third day of the inquiry, the promoters suddenly withdrew that part of the Bill which involved the application of steam power to the tramways proposed to be constructed. They stated that they preferred to stand only on that part of the Bill which gave them power to construct an ordinary tramway. The Instruction to the Committee was of a very special and definite kind—namely, that they were to take into consideration Bills which involved the application of steam or other mechanical power to tramways; and, inasmuch as the steam clauses were withdrawn, they thought that the whole reason of their being had ceased, so far as the Dublin Bill was concerned; and they, therefore, declined to go on with the case, inasmuch as there was involved the question of a horse tramway only. The opponents against the Bill applied for costs; but the Committee declined to grant them, inasmuch as there had been no unreasonable or vexatious conduct on the part of the promoters of the measure. He gathered now from his hon. Friend the Chairman of Ways and Means, that some inconvenience had arisen from the fact that a great portion of the case of the promoters which involved horse tramways only came before the Committee, and some evidence was taken upon that part of the scheme under guise of the application for the use of steam power. He had only to remark upon this state of matters, that if horse tramways had been, in the first instance, applied for, the *locus standi* of the Dublin and Wicklow Company would never have been admitted, and the Company would not have been able to appear before the Committee. But, inasmuch as the Chairman of Ways and Means now stated that inconvenience was occasioned by so much of the ground having to be gone over again, of course, if it was the wish of the House to give the Committee fresh Instructions, the Committee would cheerfully acquiesce in any opinion the House might arrive at. They would be quite ready to hear the case entirely upon its merits; but he had thought it right to justify the action which the Committee had taken, in order that there might be no misconception in regard to the course which they had felt it their duty to pursue. As had been stated by the Chairman of Ways and Means, it was quite true that, although the case of the promoters was not concluded, it had been before the Committee for two days and a-half before that part of the Bill which authorized the use of steam power was withdrawn.

Mr. O'CONOR, as a Member of the Committee, was surprised to see the Notice which had been placed upon the Paper by the Chairman of Ways and Means. The Committee themselves had recommended that the Bill should be committed to an ordinary Private Bill Committee in the usual way, and they did so for this reason—that the moment the steam clauses were withdrawn from the Bill, the measure appeared before them in exactly the same position as any other Tramway Bill would have done which did not contain steam clauses at all. It was scarcely necessary to remind the House that other Committees were appointed in a very different manner; and, under the circumstances, it seemed to the Committee very strange that the Bill, when divested of its steam clauses, should not be treated in exactly the same manner as an ordinary Tramway Bill, and referred to an ordinary Private Bill Committee. There had been no difference of opinion in the Committee upon the subject; and he should have known nothing whatever of the Motion that had just been made, if it had not been that he had casually glanced over the Paper that morning. He gathered, from the Notice given by the Chairman of Committees, that his object was to refer the Bill back to the Special Committee appointed in regard to Tramways. The Chairman of the Committee, the hon. Member for Warwick (Mr. Arthur Peel), had already alluded to a very important matter which came before the Committee—namely, the *locus standi* of the opponents of the Bill. They had not the least objection to entertain the Bill again, providing the question of *locus standi* was, in the first instance, arranged by the Court of Referees, and the Committee were simply called upon to deal with the merits of the case. If it were intended to take any other course, he was afraid the Committee was not at all suited to go into the questions which were involved in the consideration of *locus standi*, and to settle whether certain persons were entitled to be heard against the Bill or not. The whole opposition to the Bill, so far, had been a railway opposition; and, had it not been for the steam clauses, the Railway Company, under the ordinary rules, would have had no *locus standi*. As those clauses had now been struck out of the Bill, that opposition was in an entirely altered position; and it was certainly strange to call upon a Committee of this nature to decide questions, which, as a general rule, were submitted to the Court of Referees. He ought to remind the House, that the Committee was a Committee consisting of nine Members, who were appointed as a hybrid Committee generally was appointed—without being bound down by the ordinary rules in regard to the Bills which were brought before them. One of these rules was that no person interested in a Bill, or whose constituents were interested in it, should be a Member of the Committee. Now, this South Dublin Bill was in a peculiar position. The opponents of the Bill were the Dublin, Wicklow, and Wexford Railway Company, and the Corporation of Dublin also opposed, not upon the Preamble, but upon the clauses, and yet one of the Members of the Committee was the hon. Member for the city of Dublin (Mr. Brooks). That hon. Gentleman was also a member of the Corporation of Dublin, and was, therefore, interested in the clauses which were likely to be submitted to the Committee. In another sense he was also interested, because both his constituents and himself had been waging a perpetual war against the Dublin, Wicklow, and Wexford Railway for some time past. He was sorry that his hon. Friend was not present in the House at that moment; because he knew that his hon. Friend would feel deeply, indeed, that the measure in which he had taken such great interest should be brought before the House in his absence. Under all the circumstances, he (Mr. O'Conor) contended that it was not right to send back the South Dublin Bill to a Committee constituted as the present one was. He thought the Chairman of Ways and Means had been guilty of undue haste in putting his Notice upon the Paper; and, if the House would support him, he would move that the consideration of the question be adjourned until a future day. He thought the adjournment should be until after the Recess, and that would inflict no harm upon anyone, because no further Business could be done until the House re-assembled. In the meantime, it might be a matter for consideration whether the Committee, constituted as it was at present, was competent to entertain the questions involved by this Bill. He moved the adjournment of the debate.

Sir EDWARD WATKIN seconded the Amendment. It seemed to him that the only case made out for the Resolution was this — that, in the case of a particular Bill, the power sought for of working the tramway by steam had been withdrawn; because the promoters, for reasons of their own, had expunged the clauses which would have given them steam powers. For this reason, as he understood it, the House was called upon to pass a general Resolution to compel the Committee to hear any other cases which might come before them, and to prevent the Committee from exercising the discretion fairly given to them by the House. The Resolution was somewhat oddly drawn, and he wished to know from the Chairman of Ways and Means, if there were any precedent for the language he had used in it? The Resolution said—

"That it be an Instruction to the Committee on Tramways (Use of Mechanical Power) Bills, that they have power to deal with all Tramway Bills of the present Session, whether opposed or unopposed, which have been referred to them, notwithstanding that the Promoters may be desirous to withdraw from any such Bills the Clauses whereby it was proposed to authorize the use of steam or other mechanical power."

He regarded that as an addition of a very general nature, and the terms used were certainly very odd. He took it to mean this—that if the promoters of a tramway intended to use steam power, and if they thought fit to say they preferred horse power, that they were then to come before this Committee in order to see whether they should not be compelled to use steam power. That seemed to him to be a strange manner of dealing with a Private Bill, and delegating a power to somebody which had never been given before. He certainly thought the matter ought to be more carefully considered. He was one of those who believed that steam ought to be substituted for horse power wherever it was possible; but the present was not the way of bringing about such a consummation.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. O' Conor.*)

Mr. RAIKES apologized to the House for not having brought the question more fully before it in the first instance. The hon. Member opposite was, however, labouring under a very erroneous impression. He (Mr. Raikes) had not brought this question forward as a matter of surprise; but he had been in communication with the Chairman of the Committee and other hon. Members who were interested in the subject, and it was not until he had ascertained their views upon the subject, that he had ventured to put the Notice on the Paper. The Motion itself might be open to the criticism which the hon. Member for Hythe (Sir Edward Watkin) had passed upon it with regard to its wording; but, at the same time, he thought its real purport was sufficiently clear. The proposal was that the Committee should be instructed and have power to deal with all—mechanical power—Tramway Bills, opposed or unopposed, that might be referred to them; and it was to guard against the costs which would be incurred in cases where, after an inquiry had been held and the case in support of a measure had been before the Committee by the examination of a number of witnesses, the special clauses of the Bill were withdrawn. It certainly would somewhat resemble a farce to require a case, such as the one before them, to be gone into again by the parties. The Committee had already heard all, or nearly all, the evidence that it was necessary for them to hear, and were in a position to decide what their judgment ought to be. He put it as a matter of convenience. The House must feel sensible of the great inconvenience to which the promoters and opponents of an Irish Bill would be put if they were required to come to London again to make out their case. It would certainly be regarded as a great hardship to require all the witnesses who had been already examined to be brought forward again and the evidence commenced afresh. He thought the most convenient course would be to acquiesce in the proposal which he had considered it his duty to make. He quite admitted the anomalous position occupied by the Committee over which his hon. Friend the Member for Warwick (Mr. Arthur Peel) had consented to preside. The House must be very much indebted to him and to the Committee for having undertaken a duty which was a very embarrassing one; because they had not only to settle particular Bills, but to discuss and settle a general principle; and, in settling that general principle, the functions conferred upon them were unquestionably all of a very unusual and very large character. He (Mr. Raikes) now proposed that the House should ask the Committee to construe their powers in the most liberal sense, and he had been anxious to secure that object by moving this as a special Instruction to the Committee. Another point had been referred to, and that was with regard to the position of the hon. Member for Dublin (Mr. M. Brooks) who was a Member of the Committee. He was glad to see the hon. Member was now in his place. He must say that the hon. Member was justified in joining the Committee, in the first instance, notwithstanding that the interests of his constituents were affected by this one particular Bill; because the application of mechanical power to tramways was so general an interest, that it was important to have a Member upon the Committee representing Ireland, and representing, also, a large constituency in Ireland. The hon. Member would probably remain upon the Committee; but he (Mr. Raikes) felt quite sure that the hon. Member would do nothing whatever to prejudice the rights of any of the parties concerned. The name of the hon. Member had been placed upon the Committee by the House, and not by the Committee of Selection; and he hoped the House, after this explanation had been given, would be content to acquiesce in the Motion submitted to them, and which his hon. Friend the Chairman of the Committee had accepted, allowing this Instruction to be given to the Committee, so that they might be enabled to conclude their investigation.

Mr. O'CONOR asked the Chairman of Ways and Means, if it were intended that the Committee were to consider the question of *locus standi* or not?

Mr. RAIKES replied, certainly. The Reference was drawn in such terms as to exempt this particular Committee from being in any way bound by the ordinary rules regarding *locus standi,* and they were perfectly free to admit the *locus standi* of parties who would not have been able to appear before an ordinary Private Bill Committee. But it would be for the Committee themselves to consider whether they would hear the parties further, if they were of opinion that their *locus standi* had ceased to exist in reality.

Mr. M. BROOKS said, after the explanation which had been made by the Chairman of Ways and Means, he would remain upon the Committee with the leave of his Colleagues; but he was quite prepared to give an undertaking that he would take no part in the consideration of any local Bill that might affect his constituents. He owned that it was his intention, if the Bill were referred back to the Committee, to retire from that Committee; but, if he believed he could be of any service to the Committee, he was quite ready to adopt the suggestion of the Chairman of Ways and Means, and to remain upon the Committee, abstaining from taking any action where local questions arose.

Mr. ARTHUR PEEL hoped that the hon. Member (Mr. O'Conor) would be satisfied with the explanation which had been made, and would not press his Amendment for the adjournment of the discussion.

Mr. O'CONOR said, he had no wish to press his Motion, and would, therefore, with the leave of the House, withdraw it.

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Ordered, That it be an Instruction to the Committee on Tramway (Use of Mechanical Power) Bills, that they have power to deal with all Tramway Bills of the present Session, whether opposed or unopposed, which have been referred to them, notwithstanding that the Promoters may be desirous to withdraw from any such Bills the Clauses whereby it was proposed to authorize the use of steam or other mechanical power:—And that the Dublin Southern District Tramways Bill be re-committed to the said Committee.

QUESTIONS.

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NAVAL STATIONS IN THE PACIFIC—ESQUIMALT HARBOUR.—QUESTION.

SIR EDWARD WATKIN asked Mr. Chancellor of the Exchequer, Whether, considering present and future eventualities in the North Pacific, and the extension of coast line and territory by Russia in that part of the world since the Crimean War, the Government propose to recommend that the harbour of Esquimalt be fortified and made a Naval and Military Station?

THE CHANCELLOR OF THE EXCHEQUER: The only answer I can give the hon. Member is, that the attention of Her Majesty's Government is directed to the importance of the harbour of Esquimalt. I do not think I ought to say anything further at present.

POST OFFICE—THE INDIAN MAILS. QUESTION.

MR. HOPWOOD asked the Postmaster General, What progress has been made towards inviting Tenders for Contracts to carry the Mails on the termination of that now being performed by the Peninsular and Oriental Steamship Company; when the advertisements may be expected; and, whether endeavour will be made to secure the more rapid transit asked by the Bombay community?

LORD JOHN MANNERS, in reply, said, that the whole question of the arrangements to be made for the conveyance of the Indian and other mails on the termination of the contract of the Peninsular and Oriental Company was now under the consideration of the Treasury.

SPAIN—THE CUBAN INSURRECTION QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether the Cuban insurgents, in their negotiations with the Spanish Government, made terms for the negroes as well as for themselves; whether Her Majesty's Government have made or intend to make any representations to Spain, now that the pacification of Cuba has been effected, with a view of accelerating the progress of emancipation in the Island; whether the scheme for importing Chinese labourers, referred to by Consul General Cowper, is likely to be carried out; and, if so, whether Her Majesty's Government will call the attention of the British Minister in China to the fact, so that official information as to the nature of the emigration may be reported to the Foreign Office?

MR. BOURKE: We understand, that under Article 3 of the capitulation, "slaves and coolies at present serving in the insurgent ranks are to be set at liberty." According to the last account which has reached the Government, the pacification of Cuba had not been proclaimed officially. As soon as the pacification of the Island has been effected, Her Majesty's Government will not fail to press this matter upon the consideration of the Spanish Government, reminding them of the promises they have made on the subject. Her Majesty's Government are not in a position to say whether it is likely that the scheme for importing Chinese labourers will be carried out. The suggestion of the hon. Baronet, that the attention of the British Minister in China should be turned to the subject, was anticipated some time ago.

THE IRISH FISHERIES—MACKEREL FISHING AT KINSALE.—QUESTION.

MR. COLLINS asked the Chief Secretary for Ireland, Whether his attention has been called to alleged depredations by French fishermen engaged in the mackerel fishery at Kinsale, who are accused of picking up and appropriating nets which do not belong to them; and, whether, for the protection of the large amount of property employed in the Kinsale fishery, he will apply to the

Admiralty for a Gunboat and Revenue Cruiser to be stationed at Kinsale during the months from March to June inclusive, with orders to prevent the continuance of such unlawful proceedings?

The ATTORNEY GENERAL for IRELAND (Mr. Gibson): Sir, one of Her Majesty's cruisers was ordered to Kinsale at the beginning of March, and it has been in the neighbourhood since the 23rd ultimo.

PARLIAMENT — BUSINESS OF THE HOUSE—THE COUNTY GOVERNMENT BILL.—QUESTION.

Mr. CLARE READ asked Mr. Chancellor of the Exchequer, What decision Her Majesty's Government have come to with reference to the progress of the County Government Bill after Easter; and, whether it will take precedence of other Government Bills now before the House?

The CHANCELLOR of the EXCHEQUER, in reply, said, the first Business after Easter would be Supply. It would be necessary to get some Votes in Supply. But, with that exception, there was no Bill to which he should give precedence over the County Government Bill. It was the one which Government would desire to promote and press forward as rapidly as possible.

METROPOLIS—WATER SUPPLY.
QUESTION.

Mr. FAWCETT asked the Secretary of State for the Home Department, If he will consent to the appointment of a Select Committee to inquire whether the Water Supply of London should continue to be in the hands of private Companies; and, if not, to what public body it should be entrusted, and on what terms the rights of the existing private Companies should be acquired?

Mr. SCLATER-BOOTH: I have been asked by my right hon. Friend the Secretary of State for the Home Department to answer the Question of the hon. Member for Hackney. The present Metropolis Water Act was submitted to a careful inquiry by a Select Committee not many years since, and the subject, in connection with the extinction of fires in the Metropolis, passed under notice of another Select Committee last year. Under these circumstances, and in the absence of any case brought forward to justify such a proceeding, the Government, as at present advised, are not prepared to consent to the appointment of a Select Committee to inquire whether the water supply of London should continue to be in the hands of private Companies. With regard to the second part of the Question, to what public body it should be intrusted, and on what terms the rights of the existing private Companies should be acquired, he had to say that there were ample materials at the disposal of the Government to form an opinion when the time arrived for proposing legislation upon it.

ARMY—QUARTERMASTERS.
QUESTION.

Mr. STACPOOLE asked the Financial Secretary of State for War, If he will be so good as to state what the beneficial appointments are for which quartermasters of the Army, on the expiration of their military service, are eligible?

Colonel LOYD LINDSAY: In answer to the hon. Member for Ennis, I have to say that Army Quartermasters are eligible to be appointed to Quartermasterships in the Militia; 145 of these home appointments have been created, and Quartermasters of the Line will be chiefly appointed to fill them.

SOUTH AFRICA — THE WAR EXPENDITURE.—QUESTION.

Sir GEORGE CAMPBELL asked the Secretary of State for War, If he can be so good as to inform the House who is paying for the military operations now going on in South Africa?

Colonel STANLEY, in reply, said, it had been arranged that the Governor of the Colony should issue his warrant monthly for the Colonial military expenditure. In point of fact, that admitted formally the liability of the Colony; but there was no doubt that the matter would have to be arranged with the Colony. As a matter of fact, the advances would be made good out of the Imperial fund.

INDIA—TRADE BETWEEN INDIA AND CHINA.—QUESTION.

Mr. GRANT asked the Under Secretary of State for India, If any decision has been arrived at by Her Majesty's Government as to the exploration of a route between Rangoon and Western China, in order to promote trade between India and China, particulars of which have been furnished to the India Office by various Chambers of Commerce?

MR. E. STANHOPE: My noble Friend, now the Vice President of the Council (Lord George Hamilton) answered a similar Question last year. Since that time, the circumstances have not materially changed, and the same reasons exist as existed then for deferring the completion of the survey of this particular route.

PARLIAMENT — PUBLIC BUSINESS — THE VALUATION BILL — LEGISLATION.—QUESTION.

SIR WALTER B. BARTTELOT asked what course Her Majesty's Government intended to take with regard to the Valuation Bill?

MR. SCLATER-BOOTH, in reply, said, that the Valuation Bill had been brought in at the same time with the other two Bills, and clauses had been prepared to adapt it to the provisions of the County Government Bill. He did not think there was any hurry to print those clauses until greater progress had been made with the County Government Bill. Those clauses, however, were quite ready.

IRELAND—APPOINTMENT OF A CORONER FOR WESTMEATH.

QUESTION.

MR. STACPOOLE (for Mr. P. J. SMYTH) asked Mr. Attorney General for Ireland, Whether any steps are being taken to remedy the inconvenience felt in Westmeath from the delay in filling the office of second coroner for that county?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON), in reply, said, that he believed the Government had no power in the matter; but he had not yet received the information for which he had asked.

THE EASTERN QUESTION—ELECTION OF A PRINCE OF BULGARIA.

NOTICE OF QUESTION.

SIR H. DRUMMOND WOLFF gave Notice that he would ask the Chancellor of the Exchequer, Whether there was any truth in the report, published in "The Standard" of to-day, that the Russians were preparing for the election at Philippopolis of a Prince of Bulgaria?

THE CHANCELLOR OF THE EXCHEQUER: I have heard nothing of the kind.

SIR H. DRUMMOND WOLFF: It is a Notice for to-morrow.

THE CHANCELLOR OF THE EXCHEQUER: I beg pardon.

PARLIAMENT — PUBLIC BUSINESS — CONTAGIOUS DISEASES (ANIMALS) BILL.—QUESTIONS.

MR. CHAPLIN asked Mr. Chancellor of the Exchequer, Whether he could inform the House when the Contagious Diseases (Animals) Bill may be expected to come down to that House from the House of Lords, and whether the Government would be able to give it precedence over other Government Business as soon as it does so?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he understood that the Bill stood for Committee in the House of Lords on the 16th of May, and it would probably come down to this House soon afterwards. The Government would proceed with it as speedily as possible consistently with the other Business which would have to be transacted. The Bill, having been introduced in the House of Lords, and fully considered there, it would not be necessary to proceed with it in preference to Bills which had to be elaborated in that House before being sent to the House of Lords.

MR. W. E. FORSTER asked, Whether the Chancellor of the Exchequer could arrange for the evidence taken by the House of Lords' Committee on the Bill to be furnished to Members by the time the Bill came down?

THE CHANCELLOR OF THE EXCHEQUER had no doubt it could be done, and would ascertain what was the proper course to take.

ARMY RESERVE FORCES.

HER MAJESTY'S ANSWER TO THE ADDRESS.

THE TREASURER OF THE HOUSEHOLD (Lord HENRY THYNNE) *reported*

Her Majesty's Answer to the Address as followeth:—

I thank you for your loyal and dutiful Address.

I feel assured that I can always rely with confidence upon your hearty support of all measures which I may consider necessary for the preservation of the honour of My Crown, and for the security of My Empire.

ORDERS OF THE DAY.

CUSTOMS AND INLAND REVENUE BILL—[Bill 146.]

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Raikes.*)

Mr. HOPWOOD rose to move—

"That it is inexpedient to employ the police as prosecutors for the recovery of Excise penalties."

The proper duties of the police, he contended, were the preservation of peace and the detection of crime. To employ them in prosecuting for Excise penalties would render a large body of the police necessary, and would divert their attention to more attractive and profitable duties, since a part of the penalties were to go to the police superannuation fund. Besides, they would be exposed to great temptation, for it was evident those who ran the risk of being heavily fined could afford to buy off prosecution. He thought it right to protest against the proposed course at its inception, lest it might be drawn into a precedent. With the great body of the well-ordered community the police force should be popular; but he did not think that making them collectors of the Revenue would, in any degree, conduce to that result. On the contrary, he considered that such employment might prove a probable element of unpopularity. On the ground, therefore, that it would be an interference with the Excise, and that it would be adding the possibility of corruption to the many temptations to which the police were already exposed, he begged to submit the Motion of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to employ the police as prosecutors for the recovery of Excise penalties,"—(*Mr. Hopwood,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir HENRY SELWIN-IBBETSON said, one of the grounds on which this Resolution had been proposed was that a local body ought not to be mixed up with Imperial purposes; but the police had been already employed for purposes similar to that referred to by the hon. and learned Member. They had been employed in reference to what were called hawker's licences, and also in reference to chimney-sweeps' licences, gun licences, &c. They had been employed as Inspectors of weights and measures, and for other purposes of that kind. If the collection of the dog tax entirely rested on its application to Imperial purposes, there might be something in what the hon. and learned Member had said; but, for the last year or two, it had been brought to the knowledge of the Government that the localities requested a further and better collection of the tax. In the last Office he had the honour to fill, so many complaints came before him, that the matter was eventually referred to the Inspectors of Constabulary to report on the expediency of employing the local police in the manner proposed, when those Inspectors unanimously assented to the proposal, stating that, after careful inquiry at their annual inspections, they were led to believe the proposed mode of collection would be so beneficial that no objection would be felt. The application of a part of the penalty to the police superannuation fund would not, he believed, induce them to act harshly, because the individual policeman would not be benefited by it. The complaint at present made was, that under the existing system it was impossible to ascertain whether the proper number of licences had been taken out in any district. If the tax were intrusted to the police, however, it would be properly collected, which it could not be now. The House would see that the objections urged by the hon. and learned Member for Stockport had not the weight he claimed for them, and that the alteration in the mode of collection which the Bill proposed would effect an important object.

Sir GEORGE CAMPBELL said, he looked with great suspicion on these dog laws and gun taxes. They appeared to him to be, to a great extent, Game Laws in disguise. He quite admitted that it was very desirable that dogs should be strictly registered, and if the tax were not made too heavy there could be no objection to a greater degree of strictness being exercised in the matter of registration; but, looking to the animus which was entertained against dogs that did a little poaching on their own account, he thought it would be desirable to avoid employing the police to collect the tax.

Mr. DILLWYN said, the police were not the proper parties to be called in to collect this tax. Their employment in this duty would tend to their increase. There were too many at present, and they were a very heavy charge on the Civil Service Estimates. He had noticed that since the Government had undertaken part of the charge for the police, magistrates had ceased to be so careful about the number of police employed. He thought the present proposal would tend to make the police generally unpopular.

Mr. DODSON said, that, having assented to the increase of the dog tax, the Committee could not refrain from assenting to this powerful mode of insuring its collection. If there were considerable evasion when the tax was 5*s.*, it was to be expected it would be greater still when the tax was raised. It was bad policy to impose a tax that they could not collect efficiently; and, therefore, they had no choice but to consent to allow the police to be employed in the way proposed.

Mr. PARNELL said, that although the police did not actually collect the tax in Ireland, yet, no doubt, the body had great control over the matter. Of course, the way in which the tax was collected in Ireland was very different from the method imposed by the Bill before them. He believed that some modification might be effected in the arrangement proposed. The police might be instructed to look more closely after the dog licences, with the view of instituting prosecutions where necessary. In his opinion, the dog tax altogether was a highly objectionable tax, whatever way they might view it. A great deal of odium must be involved in its collection; and it appeared to him very doubtful if the advantage to be derived from its imposition would be at all equivalent to the odium which attached to the collection of it. He thought that the Government might fairly consider whether they could not adopt a suggestion similar to that which he had thrown out.

Mr. WOODD said, that the police did not collect the tax at all. They would give information to the Inland Revenue that a certain person did keep a dog, and he would have to show that he had a licence from the Inland Revenue. The hon. and learned Member for Stockport (Mr. Hopwood) had fallen into an error on that subject.

Question put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Preamble *postponed.*

Clause 1 (Short title) *agreed to.*

Part I.

Customs.

Clause 2 (Import duties on tea) *agreed to.*

Clause 3 (Duties and drawback on tobacco).

The CHAIRMAN pointed out to hon. Members who had put on the Paper Notices of Amendments involving an increased charge on the people that their Amendments were irregular.

Mr. RITCHIE, who had given Notice of an Amendment, in page 2, line 5, to leave out "4*d.*" and insert "6*d.*," said, it would serve his purpose equally well if he moved to reduce the duty on unmanufactured tobacco by 2*d.* in the pound; but he hoped that the Chancellor of the Exchequer would render it unnecessary to make any proposal of that kind by acceding to the exceedingly moderate suggestion which he had to make. The cigar manufacturers in this country alleged that they laboured under an immense disadvantage as compared with the German manufacturer of cigars imported into this country. He did not wish to enter in any detail into this matter; but it must, he thought, be obvious, that in several respects the English manufacturers lay under a considerable disadvantage. In the first place, they were practically shut out from purchasing a kind of tobacco that would answer their purpose remarkably well, in consequence of the degree of moisture it contained when imported, upon which they would have to pay duty. Again, they were practically excluded from exporting their cigars, and had to trust almost entirely to the market which they found in this country for the sale of them. Such, however, was not the case with the foreign manufacturers. There were many other disadvantages under which the English manufacturers lay—such, for instance, as the cost of commission, interest on money, and the various charges for clearance. Well, all these different disadvantages, under which the manufacturers of cigars in this country were labouring, operated greatly to their disadvantage, and so allowed the foreigner to send here what their own manufacturers ought to be able to supply. Further, it was alleged that the basis upon which the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), in 1863, calculated the differential duty, was a fallacious one. At that time, it was estimated that 69 lbs. of cigars could be got out of 100 lbs. of tobacco; but, so far from that being the case, he was informed that, on an average, only something like 52 lbs. or 53 lbs. of cigars could be obtained. It had been represented to him that the effect of all these things had tended almost to drive the manufacture of some kinds of cigars out of this country; and the manufacturers considered that, when it was proposed to alter the duty, they had some ground for asking that these matters should be taken into consideration. They said that they ought to be placed on the same footing as foreign manufacturers, and that something like 8*d.* or 9*d.* more should be put upon cigars. He did not go the length of pressing the Chancellor of the Exchequer to do anything of that kind; but he hoped that the right hon. Gentleman would inquire into the matter, and see whether the statements of the English manufacturers were not well founded. But he did say that, in altering the duty, care ought to be taken not to increase the disadvantages under which their cigar manufacturers at present lay. He would point out how it was that the increased duty of 4*d.* upon manufactured tobacco and cigars would increase the disadvantages under which their traders lay. The duty upon unmanufactured tobacco was 3*s.* 2*d.*, and on cigars 5*s.*, being a difference of 1*s.* 10*d.* If they now increased the duty by 4*d.* on unmanufactured tobacco and 4*d.* on cigars, the existing ratio between the two would be disturbed, and the English manufacturer of cigars would be placed at a further disadvantage of from 1¾*d.* to 2*d.* per lb. He entered into minute calculations, showing how this result was attained, and expressed a hope that the Chancellor of the Exchequer might see his way to adding at least 2*d.* more to the duty on cigars. He desired that the English manufacturer should be on an equality with the importer, not that he should have exceptional advantages. The Tower Hamlets had suffered considerably from the alteration of the sugar duties, and he hoped that the Chancellor of the Exchequer would be able to prevent a similar misfortune in the case of the tobacco manufacturers. He moved, in page 2, line 5, to leave out "4*d.*" and insert "6*d.*"

The CHANCELLOR of the EXCHEQUER: I assume this is an Amendment, formally moved for the sake of raising discussion on a question of considerable importance. I promised to look into this matter again. I have done so; and I have been led to the conclusion that the proposal I have made is a right one, and that there is no occasion to disturb it. The basis on which I have proceeded is the same as that on which the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) proceeded in the year 1863. At that time the right hon. Gentleman gave very careful attention to this subject, and brought his proposal forward—not as a part of his Budget, but as a separate proposal for the re-arrangement of the tobacco duties. The re-arrangement of these duties was the subject of prolonged discussion in the House, and also of careful inquiries made by the Government of the day in different parts of the country. The result was, that a certain difference was established between the rate of charge on the unmanufactured tobacco and that on cigars. My right hon. Friend arrived at the conclusions, which he embodied in the law, by a calculation of this character. He took into consideration the different classes of cigars. He ascertained that, in some cases, so many pounds of cigars might be made out of 100 lbs. of leaf tobacco, while, in other cases, a very different quantity could be made. He took into view the extreme cases on both sides, and came to the conclusion that the difference he proposed to establish in the rate of duty would cover the most unfavourable case. Of course, in the cases where a larger quantity of cigars could be made out of the same quantity of leaf than that which the rate was established to cover, an advantage was obtained; or, if you like to call it so, a slightly protective duty was thus levied in favour of the British manufacturer. Even in the case of the smallest number which could be produced from the 100 lbs. of leaf, there was a slight advantage to the British producer. The foundation of the calculation was this. The right hon. Gentleman took a certain quantity of tobacco, as being capable of being made into cigars. Of the residue, he estimated how much was stalk which could be converted into snuff, and he deducted the marketable value of that snuff. He also took into account a quantity of moisture and inorganic matter, and he arrived, I think, at the conclusion that the inorganic matter was about 18 per cent of the whole. Now, I believe, upon the whole, his calculations have been found to be just. There has been really no complaint made during the 15 years or more that have elapsed since that time; and, in fact, the position of the manufacturers has been improved, because the value of the stalk which is converted into snuff is higher now than it was at the time when my right hon. Friend made his calculations. It was then 2*s.* 4*d.*, and it is now taken at 2*s.* 8*d.* The increased duty, of course, will make it still more. Now, we come to the alteration which it is proposed to make by the present Bill. The points you have to look to seem to be these three. There is, perhaps, an increase of duty on the inorganic matter found in the leaf. The proposed 4*d.* per lb. is charged on that excess of unremunerative matter, which is calculated as 2 per cent of the whole weight, upon which the duty is paid; but which cannot, as alleged, be reckoned in the drawback. Therefore, the difference which the proposed increase of duty will make is 2 per cent, or one-fiftieth of 4*d.* on every 100 lbs. of tobacco. Then, the duty on the leaf, as compared with the duty on the cigar, is increased by one-fifth of a penny. That comes to 1*s.* 8*d.* per 100 lbs. Thirdly, there is the increase on the interest lost on the larger outlay, which the manufacturer incurs by having to pay duty, and being out of his money for a certain time. This, it is calculated, comes to 1*s.* 9*d.* per 100 lbs. Therefore, upon 100 lbs., you have three disadvantages by the increased duty—a loss of 1*s.* 9*d.* increased interest, a loss of 1*s.* 8*d.* for the one-fifth of a penny duty, and one-twelfth of a penny the increased disadvantage in respect of the inorganic matter. This makes a total addition of 3*s.* 5*d.* and one-twelfth of a penny on 100 lbs., or about two-fifths of a penny per lb. Therefore, the effect of the increase of the cigar duty by 2*d.* would be, on the most favourable calculation, to deprive the manufacturer of that fractional amount of protection; but even this will be made up in another way. Then, taking into account that the value of the stalks is taken at 2*s.* 4*d.*, but is really now 2*s.* 8*d.*, or, with the additional duty, 3*s.*—we see that the position of the manufacturer is this much better than the right hon. Member for Greenwich intended, in 1863, that it should be. Under these circumstances, I do not think we should disturb the calculation. It was made to cover the extreme case, and I believe the extreme case is met by the duty as it now stands. If you do anything more than is necessary to meet it, you will be giving considerable protection to those below the extreme case. The cigar manufacturers, undoubtedly, point out that there has been a considerable increase in the importation of foreign cigars since the alteration in 1863; but the alteration was expressly made to allow these cigars to come in. Before that date, they were excluded by what was practically a prohibitive duty, on all but the highest and most valuable qualities. A considerable number of cigars, therefore, come into the country now that would not have come in before; but I have no reason to think home manufacturers are unfairly treated. The importation of unmanufactured tobacco has also increased since 1863. Under all the circumstances, I think it would be undesirable to make the alteration that I am asked to make.

SIR ANDREW LUSK said, there should be no doubt in the mind of the home manufacturer as to the position he held, and that position ought to be as good as that of the foreigner who sent cigars into the country. The increase in the duties ought to be proportionate.

MR. GORST hoped the Chancellor of the Exchequer would continue to give his attention to this subject, notwithstanding the speech he had just made. The question was one of great importance. It was a question of the survival or the extinction of a manufacture. The persons engaged in the cigar manufacture had two distinct complaints. First, they said the existing state of things was not fair; secondly, they said that the change contemplated by the Chancellor of the Exchequer would make matters worse. The Chancellor of the Exchequer produced a number of plausible figures—no doubt, supplied by the Taxing Department of the country—which appeared to show that the English manufacturer was on an equal footing with the foreign manufacturer. But, in a case like this, it must be clear to the Committee that there were numerous conditions of manufacture which could not be made matter of calculation. The German manufacturer commenced operations on a comparatively worthless material; but the English manufacturer's raw material was made, by taxation, of an artificially high value, and if, in dealing with this valuable material, there was any waste or loss through accident, the loss of the manufacturer was serious. He was astonished to hear from the Chancellor of the Exchequer that the stalks had now become more valuable than in 1863. He was told that this was not the case, and the reason given why it was not the case seemed plausible. In 1863, the stalk was manufactured into snuff; but, since 1863, the manufacture of cigars had increased, and that of snuff diminished. Therefore, it was said, there were now more stalks to be made into snuff, and less demand for the snuff when it was made. The Committee would be astonished to hear how the drawback was paid on the refuse—"offal," he thought, it was technically called. The manufacturer had to grind what he did not use in his manufacture into powder, and before he could realize the drawback, he had to export the powder, which he (Mr. Gorst), was told was perfectly worthless. A large quantity of this powder was now lying at Jersey and Bremen, and was perfectly unsaleable. Now, while it was unsaleable at Jersey it, of course, became worth 3*s.* 6*d.* a-lb., if it could be re-imported into England, and this was an obvious temptation to smugglers. It was hardly credible that the manufacturer should not be allowed to destroy this powder, instead of having to export it. The whole question between Members of the House who agreed with him and the Chancellor of the Exchequer was, whether the difference in the rates of duty imposed on manufactured and unmanufactured tobacco was a constant difference? The Chancellor of the Exchequer allowed an expression to escape him, which seemed to confirm the view that it was a ratio rather than a constant difference. He stated that a certain ratio was fixed in 1873, although he immediately corrected himself, and said a certain difference was maintained. All he asked the Chancellor of the Exchequer to do was to stick to the ratio—to keep the ratio the same, while altering the duty. There was no difference of opinion as to the desirability of placing the home and foreign manufacturer on an equal footing, and it was a matter of calculation how that equality was to be maintained. If there were two views of that question of calculation, the English manufacturer and the English workman should be heard on the subject as well as the taxing authorities.

MR. FAWCETT said, he would be the last man to advocate protection of home industry against foreign competition; but since maintaining, on a previous discussion, that to raise the duty on manufactured and unmanufactured tobacco by the same amount would put the British manufacturer in a worse position with regard to his foreign competitors than he now occupied, he had had the opportunity of consulting people engaged in the trade. Having carefully tested the accuracy of the facts they laid before him, and having also given his careful attention to what the Chancellor of the Exchequer had said that evening, he was bound to say he did not think the right hon. Baronet (the Chancellor of the Exchequer) had made out his case. Without going into complicated details, the Committee could look at the matter from the simple point of view already taken by the hon. and learned Member for Chatham (Mr. Gorst). He would assume that, in 1863, by the scale of duties then framed, the home and foreign manufacturers were put on a position of equality. If that were so, to raise the duty on unmanufactured tobacco by 4*d.*, and to raise it only 4*d.* on imported cigars, must place the home manufacturers, *pro tanto*, in an unfavourable position. It appeared to him to be beyond the possibility of dispute, that what should be done was to adjust the duties according to their ratio, and that what should not be done was to add the same amount to each duty. The duty was formerly on unmanufactured tobacco 3*s.* 2*d.*, and on manufactured tobacco 5*s.* It would now be on unmanufactured tobacco 3*s.* 6*d.* Making here a rule-of-three sum, the Committee would see that as 3*s.* 2*d.* was to 5*s.*, so was 3*s.* 6*d.*—not to 5*s.* 4*d.*, as the Chancellor of the Exchequer proposed to make the duty on manufactured tobacco, but to about 5*s.* 5¼*d.*, or 5*s.* 5½*d.*, the amount which he intended in all arithmetical accuracy to be the amount by which the duty on imported cigars ought to be raised. The difference between 5*s.* 4*d.* and 5*s.* 5½*d.* might seem small; but he was told by those engaged in the trade that the competition between the English manufacturer and the foreign manufacturer was so keen, and that the balance between them was so nicely adjusted, that even a difference in duty of 1*d.* or 1½*d.* would make a considerable difference to the trade. He hoped the Chancellor of the Exchequer wold re-consider the subject.

Mr. RITCHIE wished to point out that the Chancellor of the Exchequer had omitted from the calculation he had given the Committee an element of great importance. He spoke about the additional duty which would be paid on 2 per cent of refuse; but he omitted to take account of the moisture which added to the weight of the unmanufactured tobacco. In 1863, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) stated that he had heard of cases in which there was 24 or 25 per cent of moisture, though no case had been strictly verified. He said, however, that there would be 14 lbs. of refuse and moisture in 100 lbs. of tobacco. If it were borne in mind that the additional duty was payable on something between 14 and 25 lbs. of refuse and moisture, which disappeared in the manufacture of cigars, it would be seen that a considerable addition must be made to the Chancellor of the Exchequer's calculation of the disadvantages under which the home manufacturer laboured. He believed, moreover, that the statement that the stalk was now worth 4*d.* per lb. more was an erroneous one.

Sir JOSEPH M'KENNA, assuming that the home manufacturer had been fairly dealt with in the scale laid down by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) in 1863, maintained that there was no coin in circulation so small as to represent the disadvantages under which the English manufacturer would labour if the proposals of the Government were carried into operation. He did not see why foreign cigars should not be sold for 4*d.* per lb. more than they now were, or why there should be a greater additional duty levied upon them. He maintained that 1*s.* 10*d.* represented as well now as it did in 1863 a sufficient difference between the duty on tobacco and that on cigars to recoup the English manufacturer for waste on the manufacture of the duty-paid article. Probably, there would be a slightly increased amount of capital involved in the tobacco manufacturing trade than formerly. That was, however, so infinitesimal, that, under all the circumstances, he hoped the Chancellor of the Exchequer would not yield to the seductive proposal made him for increasing the duty on foreign cigars.

Mr. COURTNEY said, that the case was simply this—that a certain amount of duty was put upon a certain amount of raw and unmanufactured tobacco, out of which a certain smaller quantity of cigars could be made; and, therefore, the duty on home manufactured cigars was higher than the duty on tobacco, whether imported in a manufactured state or not. Recognizing these facts, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) made the duty on the raw material bear to that on the manufactured article the proportion of 3*s.* 2*d.* to 5*s.* If that was admitted to be a correct calculation, the same proportion ought to be maintained in any alteration. Therefore, in raising 3*s.* 2*d.* to 3*s.* 6*d.* a proportional increase ought to be put on the 5*s.*, and not the same increase as was made on the 3*s.* 2*d.* If the increased duty on the manufactured article were calculated on the ratio that it bore to the raw material, the increase ought to be more than 6*d.* per lb.

The CHANCELLOR of the EXCHEQUER could not admit, with his hon. and learned Friend the Member for Chatham (Mr. Gorst), or with the hon. Member for Hackney (Mr. Fawcett), that the question was simply one of ratio. It was a mixed question of ratio and other considerations. If they were largely increasing the duty, there was no doubt they would have to increase the difference. But, in a small addition to the duty like this, they had to consider the proportion of the refuse that was saleable. They should further bear in mind the increase in the value of portions of the refuse. He believed that since 1863, when the scheme was settled, the price of the stalk refuse had very much increased, and this fully made up for any slight variation of duty arising from the present increase.

Mr. J. HOLMS said, that they ought, in justice, to maintain the relative positions between the duties on raw and manufactured tobacco at what they formerly were. If that were done, the increase of the duty on the manufactured article would be something like 6*d.* per lb.; and if the Chancellor of the Exchequer would make that duty, it would satisfy all parties. He would further say that in manufacturing cigars there was a much larger amount of rubbish to be allowed for than the Chancellor of the Exchequer had calculated.

Mr. DODSON said, that the position of the Chancellor of the Exchequer seemed to be this—that the proportion between the duties on the raw material and the manufactured article, established by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), was correct; but that since then the value of the stalk, for certain purposes, had increased, and, consequently, the ratio had become unduly favourable to the home manufacturer. By the alteration which he was now making, of adding 4*d.* per lb to each duty, he said he was bringing the ratio to what it was in 1863. If the addition to the duty were only temporary and to meet an emergency, then the right hon. Gentleman, when he took off the 4*d.* which he now imposed upon the raw material, ought to take off something more than 4*d.* from the manufactured article, in order to preserve what he declared to be the right ratio.

Mr. GORST said, the tobacco manufacturer, besides having to allow for refuse, had also to reckon upon a certain amount of moisture and sand in the tobacco. There was one statement of the Chancellor of the Exchequer which, if true, completely met the argument he had brought forward. The right hon. Gentleman said that the value of the stalk had increased so much as to make up for the additional disadvantage every manufacturer was under for not getting a portion of the drawback upon the tobacco which he rejected. Upon the best information which he could obtain, he could state that the value of the stalks had not increased. Whether that was a fact or no the Committee must decide; but he was assured, upon the most positive information, that the value of the stalks had not increased. If the tax were to be increased upon the raw material, it was a question of fair play also to increase the tax in the same proportion upon the manufactured article.

Mr. SAMUDA observed, that the reason given by the Chancellor of the Exchequer for not putting a proportionally increased duty on imported cigars was a weak one. He said that the present increase of 4*d.* all round would go far to restore the home manufacturer to the same proportion of duty which he paid when the scheme was settled in 1863. But no one would have thought of interfering with the home manufacturer had this increase in the tobacco tax not been proposed; and, therefore, the home manufacturer ought not now to be placed in a worse position than he would otherwise have been in.

Sir ANDREW LUSK did not think it wise or politic or just to put the same amount of duty upon an expensive article like cigars, as upon commoner kinds of tobacco filled with refuse and sand.

Mr. RITCHIE was satisfied with the discussion that had taken place, and would not press his Amendment. With one exception, all the Gentlemen who had spoken had expressed themselves in favour of some increase being made in the duty on cigars; and he, therefore, appealed to the Chancellor of the Exchequer, to re-consider his decision on the matter.

Mr. FAWCETT would ask the Chancellor of the Exchequer to re-consider this point before the Report, on two grounds. First, that Members on both sides of the House, with only one exception, had expressed themselves in favour of an alteration in his proposals; and, secondly, that the House ought to have some reasons for what the Chancellor of the Exchequer proposed to do. At all events, the Chancellor of the Exchequer could not ask the House to express an opinion on this point. So far as he knew, there was no possible way by which the Committee could give a decision on such a question as the hon. Member for the Tower Hamlets had raised. By voting for the Amendment, the House would virtually vote against the Budget proposal of the Chancellor of the Exchequer, and deprive him of the Revenue; therefore, a division on this particular issue could not be taken. He was sure that the Chancellor of the Exchequer was desirous of doing what was fair; and, as the House could not express an opinion upon it in that debate, he thought it was not too much to ask the Chancellor of the Exchequer again to consider the matter, and to see whether he could not make some alteration in the manner suggested.

The CHANCELLOR of the EXCHEQUER said, that several hon. Members had, no doubt, been in communication with those interested in the manufacture of cigars, and had received from them a good deal of information which they had naturally used in the discussion. He did not think that it was surprising that the discussion should have been against the Government on either side of the House, for it was not likely that anyone would have taken an interest on the opposite side of the question. It was the consumer who was interested in no alteration being made in a direction which would give such a protection to the British manufacturer as would exclude foreign cigars. The importers of foreign cigars had communicated with him, and had remonstrated against any increase being made in the duty on cigars in this country. The matter lay in a small compass, for the increase of duty was so small, that if it were merely adjusted on foreign manufactured tobacco, irrespective of the price of the stalks, the increase would be infinitesimal. On the other hand, if the duty were substantially raised, it would be giving a protection to the British manufacturer. With respect to what had been said with regard to the increase in the price of stalks, he was informed that stalks were now 2*s.* 8*d.* or 2*s.* 9*d.* per pound, and if the increase of 4*d.* were made to the duty, the price would be 3*s.* to 3*s.* 1*d.*

Mr. RITCHIE observed, the stalk referred to by the right hon. Gentleman was the dry stalk.

The CHANCELLOR of the EXCHEQUER said, he could not undertake then to make any alteration in the proposals before the Committee, but he would consider the matter further before the next stage of the Bill was reached.

Mr. DODSON observed, that the argument of the Government was, that the adjustment in 1863 had become unjust by reason of the increased value of the stalks. The whole force of their position lay in that alleged increase, and if it were proved, the argument was sound. After the discussion that had taken place, he hoped the Chancellor of the Exchequer would make further inquiries, to ascertain if the value of the stalks really had increased.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 4 to 11, inclusive, *agreed to.*

Clause 12 (Provision as to deduction for depreciation of machinery or plant).

Mr. WHITWELL, in moving, as an Amendment, in page 5, line 39, after "tax," to leave out "it shall be lawful for," and, in line 40, after "purposes," to insert "shall," said, he wished to express the satisfaction which he and many others felt at the clause having been introduced into the Bill by the Government. It was right that an allowance should be made for the depreciation and repairs of machinery in the assessment of the Income Tax. But, by the Bill, such allowance was permissive only, and he thought it should be made compulsory. The object of his Amendment was to make it compulsory on the Commissioners, for general and special purposes, to allow a deduction before charging the Income Tax.

The CHANCELLOR of the EXCHEQUER said, the alterations were not made, because he thought them unnecessary; but he had no objection to the words proposed being substituted in the Bill.

Amendment *agreed to.*

Consequent Amendments *agreed to.*

Mr. CHADWICK, in moving, as an Amendment, in page 6, line 1, to leave out "to," and insert "and they shall," and, in the same line, to leave out "they may think," and insert "shall be," said, its effect would be that the General and Special Commissioners should first settle the deductions for depreciation, and then, anyone who had any reason to object, would have a right to go to the Court of Exchequer, and contest the amount of the allowance. As the words stood in the Bill, the General and Special Commissioners would have a right to say what was "just and reasonable," and he feared there would be no appeal from their decision; whereas his proposition was, that a "just and reasonable" allowance should be made, and would be decided ultimately by the Court of Exchequer. The Amendment ought to be acceded to by the Government, for it was right that a "just and reasonable" amount should be allowed in respect of those deductions. The matter was left entirely in the hands of the General and Special Commissioners by the terms of the Bill. Who were the General and Special Commissioners to whom such a large discretion was intrusted? The General Commissioners were persons appointed in every town in England, and the Special Commissioners were gentlemen at Somerset House. With some experience of both classes of Commissioners, he should be inclined to take the question to the Court of Exchequer in every case in which he differed from them. Should such a discretion be invested in the Commissioners, in one town certain allowances would be made; whereas, perhaps, in the next, an entirely different set of rules would prevail. On the other hand, if Parliament declared that the deduction should be a "just and reasonable" one, an uniform rule could be readily settled. In any case, they wanted to be assessed at the full amount of their real profits, and they wished to keep their capital intact at the end of the year. For the last 33 years they had suffered under an injustice in that respect, and he was personally much obliged to the Chancellor of the Exchequer, for having, at length, honestly grappled with the question of depreciation in machinery and works, and he earnestly begged him to allow the Amendment. It would go to satisfy a numerous class of iron-masters, manufacturers, and coal-owners, by assuring them that a fair allowance would be made for depreciation, leaving their capital intact.

Mr. KNOWLES said, this was the first time depreciation in works and machinery had been recognized. He was very glad it had, and thought it would be wise to put it on as firm a basis as possible, by affirming that such a deduction should be allowed as was "just and reasonable," instead of leaving it a question entirely for the opinion of the Commissioners. He did not go quite so far as his hon. Friend the Member for Macclesfield (Mr. Chadwick), in saying that he should not agree with anything that the Commissioners did; for he had found that they generally had a fair knowledge of depreciation in all classes of property. The amount of depreciation was a question of degree, some property depreciating very fast. The Local Commissioners, as a rule, had sufficient knowledge to enable them to deal justly with the matters coming before them. But still, he thought the substitution of the words "shall be just and reasonable," for "as they may think just and reasonable," would be advisable.

Mr. ASSHETON imagined that the Commissioners would be bound to make a due allowance for depreciation, whether the words used in the Bill or those proposed in the Amendment stood part of the clause. With regard to the principle of the Amendment they were discussing, he really saw no difference between it and the words of the Bill, for the Commissioners must allow what they considered just. It was a distinction without a difference, and they could admit the Amendment or leave it alone with the same result.

Sir HENRY JACKSON apprehended that the distinction between the clause proposed and the Amendment was this. According to the Government scheme, the discretion of the Commissioners would be final, and, being a discretion, no Court of Law could interfere with their decision; whereas, according to what the hon. Member for Macclesfield suggested, any aggrieved manufacturer would have a right, by reference to a Court of Law, to have the propriety of the deductions allowed by the Commissioners determined as matter of law. Until some rule or standard was fixed, they ought to be contented with the concession made by the Government, and should not imperil what they had got by asking for more. It was a great advantage for the manufacturer that the Commissioners would be obliged to allow, at any rate, what they thought fit, and the question was, whether the Commissioners could not safely be trusted with a discretion in the matter?

Mr. RITCHIE said, that if the General and Special Commissioners were to be allowed to exercise their judgment, without the manufacturer having any appeal, things would thus remain in a state of chaos. If the Amendment were made, any person dissatisfied could appeal to the Court of Exchequer, and have some definite rule laid down. He remembered the case of an appeal to the Commissioners, in which the question was put by them—"How much did you pass through your bankers in the course of a year?" On being told, they said —"Your returns do not show 5 per cent profit on this amount." Every mercantile man would know that profits were not to be arrived at in that way. In another case, the Commissioners inquired into a large amount on the debit side of an account. It was explained to them that it was a loss through a Government contract, when the Commissioners replied—"that if people were foolish enough to enter into contracts with Government, and lose money on them, such a loss could not be set off." They further said that if a man were foolish enough not to insure his house and it was burnt down, the amount of loss would not be allowed him. He supported the Amendment, thinking that no more discretion than necessary should be placed in the hands of the Commissioners.

Mr. THOMSON HANKEY ventured to think that the clause as it now stood was much better than the Amendment proposed. Unless persons had some confidence in the discretion of the Commissioners, who generally gave a great deal of attention to the subject, the business of the country could not go on. It was better to trust to the discretion of the Commissioners than to go to a Court of Law. He was sure that in London, parties would rather abide by a decision of the Commissioners than appeal further.

Mr. J. G. HUBBARD said, that if books were properly kept, an allowance was made for depreciation before the profits were assessed. Now, they had a legal and effective declaration to the Commissioners that that was the proper system to pursue. The clause would be entirely unambiguous, if the Chancellor of the Exchequer were, through the Inland Revenue Department, to issue Instructions to the Commissioners as to the allowances they were to make.

Mr. RYLANDS said, if he had understood rightly the remarks of the hon. and learned Member for Coventry (Sir Henry Jackson), they amounted to this —that the clause as it stood would have the effect of placing entirely at the discretion of the Commissioners, the deduction to be allowed on machinery and works; and if the clause were altered in the way proposed by the hon. Member for Macclesfield (Mr. Chadwick), it would lead to this—that if the Commissioners did not make a sufficient allowance for depreciation, it would be open to the manufacturer to appeal to a higher Court, in order to get the Commissioners' decision over-ruled. For his own part, he had such confidence in his hon. and learned Friend's knowledge of law, that he was prepared to accept it; and he looked upon that statement of the law as the strongest possible argument in favour of the Amendment of his hon. Friend the Member for Macclesfield. He recognized most fully the evident disposition of the Commissioners to meet just claims on the part of the owners and occupiers, and he had the fullest confidence that they would deal in this matter in a fair and reasonable spirit. The effect of the Amendment was this —that if, through want of judgment or some other reason, a wrong decision was come to, then there was a chance of the decision being over-ruled. As he understood the Bill, it was proposed that, however mistaken the Commissioners might be, their decision must be accepted and there was no remedy. He thought that, under these circumstances, the right hon Gentleman would do well to consider favourably the proposed Amendment, and so put the clause in a shape which was likely to be satisfactory.

Mr. ISAAC thought the clause should be a compulsory and not a permissive one; as it stood, it would leave the Commissioners a great many loopholes to creep out of. It was necessary to avoid driving owners of mills, &c., into the Law Courts. Personally, he preferred the expression "shall be," and he should vote for the Amendment if there should be a division.

Sir ANDREW LUSK said, it was a very important Amendment. The right hon. Gentleman would do well to stand to the clause as it was. He could not put anything more to the purpose or more effective; it might be a hard clause, but he thought it perfectly necessary. It was a very reasonable and fair clause.

Mr. NEWDEGATE said, that the Commissioners differed as to whether when machinery was let they ought to allow for depreciations or not. It was exceedingly hard that a tenant, holding under a long lease for 20 or 30 years, should not have the same benefit as an owner. The Amendment sought to impose it as a duty on the Commissioners to make the same allowance, and he should certainly support it. That was the difficulty arising in the district with which he was connected.

Mr. GOSCHEN thought the hon. Member had not quite apprehended the point. It was conceded that the Commissioners were in every case to make some allowance, and that was a very great concession. The question was whether the discretion was best confided to the Commissioners or to the Courts of Law. He presumed that the Government had been baffled in the attempt to find a principle to be introduced into the Bill. The depreciations would have to be practically worked out according to some tentative system; and the Commissioners must find their way to some equitable, universal, and uniform system. He did not think it wise to refer to the Courts—the owner would not accept their decisions, and the Courts would be laying down a system of taxation. On the whole, he certainly inclined to the clause as it stood, rather than have an immense amount of litigation.

The CHANCELLOR of the EXCHEQUER said, that the right hon. Gentleman the Member for the City of London (Mr. Goschen) had very accurately appreciated the position of the Government in the matter. The hon. Member for Oldham had taken very great interest in the matter last year, and it was very much owing to his representations, and those of his hon. and learned Friend behind him that the matter had been considered. They did not attempt to clear the Income Tax or the Dog Tax from all anomalies; but it was possible to mitigate them. Last year, the hon. Member for Oldham had called attention to the matter, and an attempt had been made, but unsuccessfully, to meet the difficulties complained of. He had caused very particular inquiries to be made, by competent gentlemen, into the circumstances, and as to what could be done in the matter of allowances for depreciation; and, in the first place, he found that the principles adopted were extremely various. In the case of shipping property, depreciation was allowed for; and with railway-plant, and for much machinery used in private establishments, deductions were, more or less, made. In other cases there was none, because the Commissioners did not think themselves authorized by law to permit it. It still more clearly arose in the case of joint-stock companies, whose accounts were made up under the direction of auditors, who required that a certain sum should be set aside for the depreciation of machinery; yet, when the Income Tax was paid, the Commissioner was not justified in allowing that sum to be deducted. Those were anomalies which should be remedied, and he had attempted to lay down rules, it being found difficult or impossible to draw a satisfactory clause. In communication with the hon. Member for Oldham (Mr. Hibbert), the latter had entirely confirmed him in the view that it was better not to attempt to lay down cast-iron rules, but to leave it to the discretion of the Commissioners themselves, whereby far less injustice would be done than if such matters were made the subjects of appeal to Courts of Law. He could hardly conceive how the Courts could deal with many of those questions. They had given power to the Commissioners to make the allowance, and made it a direction to them that they should. He thought hon. Gentlemen would do well to rest content, and see how it worked.

Mr. CHADWICK felt disposed to withdraw his Amendment; but they wanted to avoid disputes in the future. They were perfectly willing to abide by a judicial decision; but it would be very difficult if conflicting decisions occurred in various districts. He denied that there was great difficulty in deciding what was a fair, proper, and reasonable scale of depreciation. For many years he had, as professional auditor, assisted to determine the depreciations of 60 large manufacturing and mining concerns. The words "shall be what is just and reasonable" would be sufficient.

Mr. DODSON said, the hon. Member for Macclesfield (Mr. Chadwick) had given a very good reason why they should vote with the Chancellor of the Exchequer for the support of the law as it stood. He had said there was no difficulty in settling those questions. Did the House think that any Judge on the Bench, however learned, was capable of deciding those questions? It was an experimental clause; he hoped the hon. Member would not divide the House.

Mr. ORR-EWING said, that as there appeared to be very little difference between hon. Members on the subject, he thought that after what had been said by the right hon. Gentleman the Chancellor of the Exchequer the Amendment should not be pressed.

Mr. CHADWICK begged to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. CHADWICK, on rising to move, in page 6, line 2, after "any," the insertion of the word "buildings," said, that if the Government objected to it, and would allow the substitution of the words "so as to leave the capital intact," as proposed in the following Amendment, which would be carrying out the recent decision, he would be satisfied.

The CHANCELLOR of the EXCHEQUER thought the Amendment would carry the principle farther than he was prepared to go, and he must object to it.

Mr. ORR-EWING said, there were many buildings which might be so described. The clause was an attempt to do justly by manufacturing persons, who had ever, since the Property Tax Act had been passed, been unjustly dealt with by not permitting them to deduct anything for depreciation. The object was to remedy that injustice; but, unfortunately, the clause of the Bill now under discussion would not carry out that intention. He was not sure what was meant by "machinery and plant." Power was given to the Commissioners to allow for depreciation upon machinery and plant, but other and valuable portions of what constituted manufactories were not brought within the operation of the clause. He thought no hon. Member who had any knowledge of business would object to a fair amount being deducted for depreciation of value in machinery and plant before the profits of a manufactory, public work, or mine, were calculated for division among the partners. He could not suppose that the intention of the law was to act unjustly, and he could assure the Committee that injustice was done by the existing state of things; because, owing to the fact that deductions were not allowed, income tax was paid upon what every manufacturer who kept his books on proper principles deducted for depreciation before dividing the profits of the year. In the case of mine owners, it not unfrequently happened that they had to pay income tax upon minerals lying beneath their lands for years before they had been brought to the surface and converted into money. He, therefore, begged to move an Amendment, in the following terms:—Page 6, line 2, leave out from "any" to the end of the clause, and insert—

> "Manufactory, public work, or mine, which the trader, manufacturer, or mine owner, may consider necessary to make allowance for in making a true balance of his books, from time to time, for a division of profits."

Mr. Serjeant SPINKS said, that the concession would be appreciated by the manufacturing classes; but its grace would be marred somewhat if the further concession proposed by the hon. Member for Macclesfield (Mr. Chadwick), with regard to buildings was not also granted.

Mr. KNOWLES suggested to the hon. Member for Macclesfield (Mr. Chadwick), that he should withdraw his Amendment on condition that the Chancellor of the Exchequer adopted the proposal of the hon. Member for Dumbartonshire (Mr. Orr-Ewing), modified in such a way as that the Commissioners of Taxes should be satisfied as to the amount proposed to be allowed, instead of allowing traders, manufacturers, and mine owners to be the sole judges of the allowances in question. He thought no difficulty could arise in the case of sound concerns if this proposal were adopted; and, further, that in such cases, a great deal of what was inquisitorial in the incidence and levying of the tax would be avoided.

Mr. WHITWELL supported the clause as drawn by the Chancellor of the Exchequer, and hoped its harmony would not be marred. If any alteration in it were thought necessary, it ought, in his (Mr. Whitwell's) view, to be made by means of an addition, and not by interpolation.

Mr. CHADWICK said, he would not press his Amendment.

Amendment (*Mr. Chadwick*), by leave, *withdrawn.*

Mr. GOLDNEY hoped the Amendment of the hon. Member for Dumbartonshire (Mr. Orr-Ewing) would not be pressed, as it would exclude the unfortunate farmers from all benefit they would otherwise enjoy under the proposal of the Chancellor of the Exchequer.

Sir ANDREW LUSK also opposed the Amendment, remarking that if every man was to be allowed to judge as to the amount of Income Tax he should pay, there would be no occasion for Commissioner; who, as far as he had experience of them, had always performed important and delicate duties in a satisfactory manner.

Mr. J. G. HUBBARD thought the Amendment ought not to be passed, on the ground that it would deprive of concessions some of the important industries which it was, and, he thought, with justice, intended to benefit.

The CHANCELLOR of the EXCHEQUER said, the clause, as he had proposed it, was not drawn in consequence of any particular decision that had been arrived at, but in order to meet a difficulty which had for years been felt in regard to manufactories in which machinery was extensively used. He could not, therefore, accept the Amendment of his hon. Friend the Member for Dumbartonshire (Mr. Orr-Ewing), which would go far beyond the point he was at present willing to concede. The only additional concession he was able to make was that the clause should apply to machinery rented, as well as to machinery which was the actual property of the person using it.

Mr. HERSCHELL thought it would be well not to press the Amendment then; but that, on the Report, it should be brought up in a modified form.

Mr. ORR-EWING said, he should be willing to accept the suggestion of the hon. and learned Member who had just addressed the Committee.

Amendment (*Mr. Orr-Ewing*) *negatived.*

Mr. CHADWICK moved, as an Amendment, in page 6, lines 3 and 4, to leave out "and belonging to the person or Company by whom the concern is carried on," and to insert, "so as to leave the capital intact." If they did not allow for the depreciation of hired machinery, they would be doing an act of injustice. If the worker of a mill had hired machinery, which, by arrangement with the lessor, he was bound to keep in repair, there was no reason whatever why he should not be allowed for depreciation the same as though that machinery was absolutely his own.

The CHANCELLOR of the EXCHEQUER pointed out, that if the Amendment were adopted, it would make the remission in favour of the wrong person, because it would give the remission to the person who hired, and not to the lessor of the machinery; therefore, he proposed to retain the words which were under the consideration of the Committee, and then go on to add to the clause to meet the cases where machinery was let. The words he proposed to add were—

"And where any machinery or plant is let, the lessor shall be entitled, on claim made to the Commissioners for general or special purposes, in the manner prescribed by section sixty-one of the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, to have repaid to him such a portion of the sum which may have been assessed and charged in respect of the machinery or plant, and deducted by such lessee on payment of the rent, as shall represent the Income Tax upon such an amount as the said Commissioners may think just and reasonable for depreciation in respect of the wear and tear of such machinery or plant: Provided, That no such claim shall be allowed unless it shall be made within twelve calendar months after the expiration of the year of assessment."

Thinking these words more appropriate than the Amendment of the hon. Member for Macclesfield, he should propose to substitute them.

Mr. CHADWICK said, he would agree to the Government Amendment, and withdraw his Amendment.

The CHANCELLOR of the EXCHEQUER said, if the hon. Gentleman wished to put his Amendment—which he supposed he did not—so as to leave the capital intact, it would be more convenient to propose it before the words he had proposed to add to the clause were considered.

Mr. CHADWICK believed, if the words were inserted as he proposed, the Commissioners would be saved a great deal of trouble. In Knowles's case in the Court of Exchequer, the three Judges had held that when coal was taken out and consumed in the way of business, it was to be allowed in deduction from the income of that business. The whole of the remarks of the Judges went to the principle of allowing, in the case of a Company or individual, the capital to remain intact; and, therefore, the insertion of those words would convey to the minds of everyone that they were not to pay on any portion of their capital, whether it had been absolutely consumed in taking out coal from a coal mine, or absolutely consumed in the wear or tear of machinery. Therefore, the words he suggested would, he believed, save a great deal of trouble and give very much satisfaction, showing plainly that people were not to pay Income Tax upon capital, as had been the case for many years. After consideration, he thought he should be compelled to take a division on the words he proposed.

Mr. GOLDNEY said, as the clause stood at present, in looking at the profits of a concern, so much was to be allowed for wear and tear of machinery. As to leaving the capital intact, he did not know what the hon. Member opposite (Mr. Chadwick) meant—whether it was the capital of the concern, or whether he meant the capital of the machinery. The clause did not in the slightest degree interfere with the decision of the Court of Exchequer as regarded mines; but here it was wanted to add words which meant allowing so much in respect of wear and tear of machinery, which would keep the capital intact, or the capital of the machinery intact. He thought the words really had no sense at all, and, instead of being clear, they would only be misunderstood.

Mr. NEWDEGATE advised the consideration of the addition proposed to the clause by the Chancellor of the Exchequer, to see if that did not meet the views of the hon. Member for Macclesfield (Mr. Chadwick).

Sir ANDREW LUSK said, capital intact would mean the capital in the business, but the business might not be intact for various reasons. The question was a difficult one for anyone to go into. The words of the hon. Member for Macclesfield (Mr. Chadwick) might do very well on a piece of paper; but when they came to sit down, and give a decision upon them, it would be found that they involved considerations which could not be dealt with at all. He did not know how they could go into the question of capital in a business, and he hoped the Chancellor of the Exchequer would resist the Amendment. At the same time, he wanted to make an appeal to the right hon. Gentleman. He had proposed, he believed, a very reasonable Amendment; but he thought it only fair to the Committee to ask to have it brought up on the Report. If they saw the proposal in print, they would have an opportunity of considering what it was like; but he thought it impossible to gather all the meanings and intentions of an intricate Amendment on hearing it read. He hoped the right hon. Gentleman would consent to bring up his addition to the clause on Report.

Mr. J. G. HUBBARD advised the hon. Member for Macclesfield (Mr. Chadwick) to withdraw his Amendment. As to the addition to Clause 12, proposed by the Chancellor of the Exchequer, he (Mr. Hubbard) had been completely lost while it was being read, and he should be glad to see it in the Paper before it was agreed to.

Mr. WHITWELL hoped the hon. Member for Macclesfield (Mr. Chadwick) would not press his Amendment. With regard to the addition proposed by the right hon. Gentleman the Chancellor of the Exchequer, he (Mr. Whitwell) had a strong wish to see it in the Paper, and for this reason—at present, a great deal of machinery was let on a term of years, subject to its value being kept up, and restored to the lessor exactly the same as it was handed over to the lessee. Therefore, it would not be at all consistent for the lessor to receive a reduction in Income Tax for depreciation of machinery, inasmuch as the lessee would have made all depreciations good, and he would very naturally expect to get this money back again at the end of the lease. Therefore, he hoped the right hon. Gentleman would see his way clear to place his Amendment on the Paper.

Mr. CHADWICK withdrew his Amendment.

Amendment, by leave, *withdrawn.*

The CHANCELLOR of the EXCHEQUER was sorry to have to refuse to put the Amendment on the Paper. The fact was, that the point had been considered by the Inland Revenue officials, and they thought such an Amendment as he had proposed would be advisable. They prepared it, and the object of it was, that if a man let his machinery, the person who had to pay rent for it should be entitled, on paying his rent, to deduct the income tax which he was charged, and the person to whom the rent was paid should have a portion of that income tax in respect of his machinery. That, he thought, would be a reasonable proposal to pass.

Amendment made, by adding, at the end thereof, the following words:—

"And where any machinery or plant is let, the lessor shall be entitled on claim made to the Commissioners for general or special purposes, in the manner prescribed by section sixty-one of the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, to have repaid to him such a portion of the sum which may have been assessed and charged in respect of the machinery or plant, and deducted by such lessee on payment of the rent, as shall represent the Income Tax upon such an amount as the said Commissioners may think just and reasonable for depreciation in respect of the wear and tear of such machinery or plant: Provided, That no such claim shall be allowed unless it shall be made within twelve calendar months after the expiration of the year of assessment."—(*Mr. Chancellor of the Exchequer.*)

Mr. CHADWICK desired to see the Amendment in print.

Mr. HERSCHELL said, in the case of a man who owned machinery, it was quite clear that the deductions for depreciation would come to him. But in the case of a lessee, who was to bear the loss by depreciation? It was not unfrequently the case that when machinery was let, the real person on whom the loss fell was the lessee, who was bound by his agreement to restore it just as he found it. Therefore, the lessor in that case sustained no loss by depreciation, because the cost of depreciation in no way fell upon him. Therefore, he thought the matter required a little consideration.

The CHANCELLOR of the EXCHEQUER said, the Amendment would be printed in the Votes on Tuesday, and would be in the hands of hon. Members, who would be able to see how the clause stood. Then, if anyone wished to make any other Amendment on Report, it was competent for him to do so.

Sir ANDREW LUSK thought it unreasonable on the part of the right hon. Gentleman not to agree to place the Amendment on the Paper. As he had previously said, he believed the Amendment might be what was desired, but surely it was a reasonable request to ask that it might be allowed to come up on Report. [The Chancellor of the Exchequer: It will come up to-morrow.] That might be so, but he thought the Committee ought to have an opportunity of discussing the matter after it had been placed on the Paper, and not on the Report.

Mr. GOLDNEY said, the Amendment of the Chancellor of the Exchequer was not like a fresh Amendment, coming on before it had been placed on the Paper. In his Amendment, the Chancellor of the Exchequer had adopted language which he thought would meet the case, and which had been approved by the Inland Revenue authorities.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 13 (Amendment of the law as to inhabited house duty).

Mr. J. G. HUBBARD moved, in page 6, to add the following sub-section:—

"Where any dwelling-house, partly occupied by a shop or warehouse for goods exposed to sale, is chargeable under the Act of the fourteenth and fifteenth Victoria, chapter thirty-six, with a duty of sixpence in the pound, that duty of sixpence shall be charged whether the premises be occupied by the owner or by a tenant or tenants of the owner."

He considered it perfectly absurd that because the owner of a house in which he had a shop lived somewhere else, and not in the shop premises, that he should pay a duty of 9*d*. and not of 6*d*. Such a proceeding simply made it obligatory that the owner and occupier should be the same man. At present there might be two houses with shops, both exactly alike, owned by two persons; but, whilst the one who lived on the premises only paid a duty of 6*d*., the one who let a portion to a tenant had to pay 9*d*. He thought nothing more need be said to get rid of such an anomalous clause, and he hoped his right hon. Friend would adopt his Amendment.

THE CHANCELLOR OF THE EXCHEQUER said, he could not agree with the principle which was contended for, because the Government regarded this tax not as being, in this sense, imposed upon the premises, but as a tax with reference to the person who occupied the premises. The truth was, that when a shop-keeper was obliged to take a shop in an expensive part of the town for the purpose of carrying on his business, and when he occupied some of the rooms over the shop as a dwelling-house, he was not rated as if the house were his dwelling-house; but it was generally allowed that he was living there in a more expensive situation than his means would otherwise allow from the necessity of attending to his business. But, if he left his business and went elsewhere to reside, and if he made profit out of the rooms above his shop by letting them to the other persons in order that he might derive advantage from the high rents in Bond Street or Regent Street, for example, then it was fair and reasonable that the portion of the house so let should be charged with a proper proportion of the tax. An alteration had been made by this clause, which would give relief in cases where the house and the shop were let as separate tenements. If the shop were not occupied at night, it would come under this new proposal of the law.

Amendment *negatived.*

COLONEL MAKINS moved the insertion of a sub-section exempting the Inns of Court and the Universities from payment of the Inhabited House Duty.

THE CHANCELLOR OF THE EXCHEQUER said, he must ask his hon. and gallant Friend to give Notice of his Amendment, which, he added, might be considered on the Report of the Committee. The point raised was new to him, and he was unable, without further consideration, to say whether it would be desirable to insert the Amendment in the Bill.

MR. HERSCHELL said, the Inns of Court and the Universities appeared to him to stand on a different footing under this clause. He was by no means sure that, as regarded the Inns of Court, the case would not be met by the words as they at present stood, though the Universities might not be exempted.

COLONEL MAKINS said, he should be quite content if the Chancellor of the Exchequer would consider this proposal between the present time and the bringing up of the Report.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 14 (Amount fixed by the Treasury to be paid to clerks to Commissioners in lieu of allowances in certain cases).

SIR HENRY SELWIN-IBBETSON moved to insert, in line 4, the words "exclusive of necessary office expenses."

Amendment *agreed to;* words *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 15 (Appeal from High Court of Justice in cases stated under the Customs and Inland Revenue Act, 1874).

SIR HENRY SELWIN-IBBETSON moved to add, page 7, line 12, the words—

> "And from the decision of the Court of Session as the Court of Exchequer in Scotland upon any case so stated in the House of Lords."

SIR ANDREW LUSK desired to know what was the object of the Amendment?

SIR HENRY SELWIN-IBBETSON, in reply, said, that its object was to bring the law relating to taxes into harmony with the law relating to the Legacy and Succession Duties. In the case of the Legacy and Succession Duties, an appeal lay to the Court of Exchequer, and from thence to the House of Lords. No such appeal was allowed in cases relating to these taxes, and this seemed rather absurd, inasmuch as many of the questions relating to the levying of taxes were of a most important nature.

MR. COURTNEY thought that the clause, as it stood, provided only for appeals to the Court of Exchequer in certain cases, and did not allow of appeals being taken from the Court of Exchequer to the House of Lords.

THE CHANCELLOR OF THE EXCHEQUER said, his hon. and learned Friend the Solicitor General had called his attention to the matter. His hon. and learned Friend said that, although, in his opinion, it would not be absolutely necessary, yet it would be desirable, in order to make the point quite clear and free from ambiguity, to add to the clause the words "and from thence to the House of Lords."

SIR ANDREW LUSK observed, that he was of a rather Conservative disposition, and was content to let things remain as they were. The income tax had been levied for 35 years on the old principle, and why should the Government now open a field for new litigation by allowing appeals to be made from one Court to another?

THE CHANCELLOR OF THE EXCHEQUER believed his hon. Friend the Secretary to the Treasury had already explained that, in all cases involving questions of liability to Legacy or Succession Duty, the Crown had a right to appeal from the Court of Exchequer; whereas, in tax cases, there seemed to be at present no such right. Surely it was highly desirable to make the law uniform.

Amendment *agreed to;* words *inserted.*

THE CHANCELLOR OF THE EXCHEQUER then moved to add to the clause the words "and from thence to the House of Lords."

Amendment *agreed to;* words *inserted.*

Clause, as amended, *agreed to.*

Clause 16 (Serjeants' Inn transferred to City of London for purposes of taxes) *agreed to.*

PART III.

Excise.

DOG LICENCES.

Clause 17 (Increase of duty imposed by 30 & 31 Vict. c. 5).

MR. MONK moved, in page 7, line 38, to leave out from the word "seventy-eight" to the words "chapter five," in line 40. The hon. Gentleman said, he was in favour of keeping the duty as it then stood. He thought there was really no good reason for increasing it from 5*s.* to 7*s.* 6*d.*, and that the police could accomplish the object of the tax, which was to diminish the number of stray dogs, and insure the regular collection of duty, as well under the former as under the increased rate of 7*s.* 6*d.*

Amendment proposed, in page 7, line 38, to leave out from the word "seventy-eight" to the words "chapter five," in line 40.—(*Mr. Monk.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. HOPWOOD would support the Amendment in place of his own, of which he had given Notice; because it equally raised the point which he had desired to raise—namely, that the duty should remain where it was. On a previous evening he had had the opportunity of saying something on this subject, and did not feel himself precluded from repeating some of the observations he then made. He claimed, in that instance, with the aid of some Friends about him, to represent a sentimental grievance—in his opinion, a very strong one. The tax which it was proposed to increase already pressed heavily on men of humble position in society, who had just the means of keeping a dog, possibly half-starved, possibly fed by chance contributions furnished by the sympathies of neighbours; but still a valued, and sometimes useful, member of the household. He wished to know whether it was worth while, or whether it was wise, of the Finance Minister to resort to this method of raising the Revenue? There were plenty of other taxes which might be resorted to—in fact, there was nothing, however low in degree, upon which Revenue could not be raised, if they chose to do so. He was speaking on behalf of a great number of persons who, though of poor estate, were as much the admirers of the dog as those of larger fortune. Was it to be supposed that the duty could be got from those people? Or was it that the right hon. Gentleman was making the tax rather in the interests, say, of the farmers or game preservers? If that were the case, let him be candid, and say so. But, even so, would the tax produce the results which were intended—either the extermination of stray dogs, or the collection of the money? He thought not. He did not believe that the dogs would be exterminated by imposing a tax which the poorer class of owners could not possibly pay. The man who was indifferent to the laws of society would assuredly let his dog—perhaps a fine bull-terrier—shift for himself. The policeman would go to his house, and when asked—"Is that your dog?" he would answer—"It is not mine." The policeman could, of course, go and take it if he liked—a dangerous duty—but the dog would not be paid for. He thought it was a grievous thing, out of so many sources of Revenue, to select anything so paltry as the imposition of a tax of 7*s.* 6*d.* on the dogs; which, however it was collected in the household, would allow the stray dogs to escape, as they had escaped hitherto. With regard to the immunity for 12 months allowed to fox-hounds, it was, in his opinion, quite unjustifiable; and were it extended to the dogs of the poor, it would include the whole term of their natural lives. Having made these observations, he hoped that the words would be omitted from the clause.

THE CHANCELLOR OF THE EXCHEQUER: There are two questions which the Committee will have to consider; one, whether any alteration shall be made in the mode of levying the duty on dogs; the other, as to the increase in the tax itself. The arguments of the hon. and learned Member for Stockport (Mr. Hopwood) are arguments against altering the mode in which the tax is recommended to be levied. Nearly all that he said referred to the manner in which the persons he described would be affected, and is just as applicable to the tax at 5*s.* as to the tax at 7*s.* 6*d.* I cannot doubt that one effect of the alteration will be to diminish the number of dogs kept, a matter which has given rise to serious complaint. In the course of the last year or two, and before that time, complaints, which I venture to say are serious, and which cannot be overlooked, have been made of the great increase in the number of dogs, and they are increasing every succeeding year. I have received numbers of letters from all parts of the country, and from persons of different classes, all urging upon me the consideration of this question of the dog tax. They have not come from persons interested in sporting only—they have come from persons of all classes—clergymen, medical men, farmers, and fathers of families, who said that their children were alarmed and frightened. I have also had a good many complaints of the rough and improper manner in which a large number of dogs are used. I need not remind the Committee of the various representations which have been made as to hydrophobia, and other matters of that kind, which are possibly exaggerated; although considerable uneasiness is felt by large numbers of persons throughout the country on this subject. I think that the conclusion to which we are forced is—that it is really necessary to introduce a somewhat stricter principle in the collection of the dog tax—the effect of which will be to reduce the number of dogs kept, and that we should somewhat increase the rate of the tax itself. Hon. Members present will bear me out in saying that when I first made that intention known to the House, I was met by a great many cries that I should double this tax. I have resisted these representations, and have rather taken the line of keeping the tax to a moderate rate, and not causing unnecessary interference with those to whom keeping of dogs is a necessity.

SIR GEORGE CAMPBELL said, from the remarks of the Chancellor of the Exchequer, it was clear that the object of the right hon. Gentleman was restraint rather than Revenue. It seemed to him that his wiser course would have been to effect this, rather by greater strictness than by additional taxation; which would, no doubt, diminish the number of dogs for which the tax was not paid, but not the number of tax-paying dogs. Many people were affected by this tax, and he appealed to Her Majesty's Government not to impose an additional burden on the owners of what were called "poor men's dogs." Nothing was more irritating than the ravages of these stray dogs; and he quite admitted that it was extremely necessary that there should be some means of repressing them, although he did not see the necessity for altering the tax itself. He would vote for the Motion of the hon. Member for Gloucester.

MR. CLARE READ said, he fancied the object of the Amendment was really to show the Committee that a great number of hon. Members considered the proposed increase of 2*s.* 6*d.* too much. Many hon. Members on that side considered that the tax should have been increased to 10*s.*, and he had himself placed an Amendment on the Paper to that effect. About 10 years ago, he was one of those who objected to the proposed modification of the dog tax, which then stood at 12*s.* He had contended that by abolishing all exemptions, a great hardship would be placed upon a number of poor tradespeople and farmers, to whom a dog was essential in their vocations, and that the number of useless dogs would be augmented. His prophecies had been fulfilled, and the Chancellor of the Exchequer had increased the tax to get rid of some of these worthless dogs which roamed about the country. He had heard that it was not an uncommon thing in the mining districts for dogs to be fed while children were starved. He did not believe that any sort of dog could be kept upon less than 1*s.* a-week, and that—or, as some hon. Members said 1*s.* 6*d.* a-week—was the rent of a cottage in some of the agricultural districts. Whenever dogs were multiplied either in town or country, they became a very great nuisance. It was to this class of dogs, not to the pet dogs, that the right hon. Gentleman referred as being the subjects of hydrophobia. It was these dogs that worried the farmer's sheep and disturbed the landlord's game, besides causing serious accidents. He considered the dog to be a fair subject for taxation, and would have been glad if the Chancellor of the Exchequer could have seen his way to increase the tax to 10*s.* He believed the proposition of the right hon. Gentleman would be a benefit to the country, but wished the Revenue had received a little further increase.

MR. GOURLEY considered, that unless a more stringent system of collection was adopted under the new system than prevailed under the old, the Chancellor of the Exchequer would find that his proposal had made very little increase in the Revenue. The officers who collected the Revenue had no means of ascertaining who were and who were not keeping dogs, and it was certain that many owners of dogs would not pay the tax. Hence, the Chancellor of the Exchequer would find, when he came to make inquiries, that to render the taxation really effective, he must place larger powers in the hands of the police. It must, in fact, be made part of the duty of the police to ascertain who were, and who were not, keeping dogs, and then the Chancellor of the Exchequer would get the increase of Revenue he calculated upon. He agreed with the suggestion of the hon. Member for South Norfolk (Mr. Clare Read) that the tax ought to be increased from 5*s.* to 10*s.*, instead of to 7*s.* 6*d.*, and then the Chancellor of the Exchequer would cause a still greater gain to the Revenue.

MR. ASSHETON said, the hon. and learned Gentleman the Member for Stockport (Mr. Hopwood) had spoken the other evening on the poor man's dog. This was a creature in whose existence he did not believe, and he had hoped that this evening, when the hon. and learned Gentleman had again referred to the tax, that they would have heard something about a real *boná fide* poor man's dog. The hon. and learned Gentleman, at the commencement of his speech, had spoken of dogs kept by people in humble positions in life; he had talked of the half-starved dog, and then he began to speak of the highly-cultivated dog, whose keeper had some idea of sport. Then he (Mr. Assheton) began to see daylight, and he became still more enlightened when the hon. and learned Gentleman had said something about dogs kept for racing by the poorer classes. Those were the dogs that he believed were kept by the men who starved their children and beat their wives, but who fed their dogs on new milk and legs of mutton; and he felt strongly that, if any tax would suppress that sort of thing, it ought to be imposed by Parliament. He felt that he was now no nearer than he had been a few nights ago to finding out—what he still believed to be a mythical creature—the poor man's dog.

MR. GOSCHEN failed to see how an addition of 2*s.* 6*d.* to the tax upon dogs would decrease their numbers, especially of those who were fed upon new milk and mutton. It appeared to him that, if this tax were directed against any particular class of dogs, it must break down. It could only diminish the number of dogs in one way—that was, if people were able to pay 5*s.* in the form of a tax, but could not afford 7*s.* 6*d.*, and gave up their dogs rather than pay the increased sum. But this would not diminish the number of stray dogs, upon which no tax at all was paid. Nothing would be more proper than to prevent unowned dogs running about, but that could not be affected by the proposal of the Chancellor of the Exchequer. The tax would have this effect—that all those who could afford to pay, and to whom it made no difference to pay 7*s.* 6*d.*, would continue to keep their dogs in unabated numbers; but a number of persons would not keep dogs in future, because they could not afford to pay the increased amount. He believed the proposal would have the effect of diminishing the number of dogs kept by poor people. He did not believe what had been stated as to the brutalizing effect of dogs; on the contrary, he considered that they had—if there were no bull in the expression—a humanizing effect upon their owners; and it would be most undesirable that it should be thought that the House desired to diminish the number of dogs kept by the poorer classes. There seemed to be a desire to take advantage of two currents of opinion—one to prevent hydrophobia, and the other to stop poaching; and, under these two influences, the tax on dogs was to be increased; but the feeling would be that the tax was not to be raised so much for fiscal purposes as to diminish the number of dogs kept by the poorer classes.

Mr. FORSYTH believed that no part of the Budget would be more popular than that increasing the tax upon dogs. That the general feeling of the House was in favour of an increase was shown during the Chancellor of the Exchequer's Budget speech, when, having proposed 7*s.* 6*d.*, he was met with a cry of "Ten shillings" from both sides of the House. He sincerely hoped that the right hon. Gentleman's proposition would have the effect of diminishing the number of dogs. If half of them were destroyed it would be a benefit to society, and the Government would get nearly the same Revenue; but, of course, nothing like so many dogs as one-half would be actually got rid of. The decrease would result, not from the increase in the tax under the new system but from the operation of the more stringent manner in which the duty was to be collected. Many a man kept a dog now without paying a tax upon it because the chance of detection was small. If a man had a useful dog he would just as willingly pay 7*s.* 6*d.* to the Revenue as 5*s.* This was not a question affecting the country alone; it had just as much bearing upon the inhabitants of London, in whose streets no one could have walked without being struck by the immense number of ownerless dogs that were running about. There was one city in Europe—Constantinople—where the dogs were remarkably numerous, and he thought London was getting very much like it in relation to useless dogs. The proposition of the Chancellor of the Exchequer would cause no loss to the Revenue and be productive of general benefit.

Mr. COURTNEY thought the Constantinople dogs were not useless but useful, as they cleared away the rubbish from the streets. He should be obliged to the Chancellor of the Exchequer if his proposition reduced the number of useless dogs and increased the Revenue, but doubted if it would have that effect. The additional tax did not appear to have been imposed to get more money, but rather on the ground that it would diminish the number of dogs; but he questioned whether it would bring more money to the Revenue than the present system, and did not see how useless dogs would be put down by it. The class of dogs that should be put down was that which was owned by nobody and paid no tax; but the new system would affect a different kind of animal. The hon. Member for Clitheroe (Mr. Assheton) had said he had been unable to discover the poor man's dog; but there were, undoubtedly, poor men's dogs, and there were also poor children's dogs. Hon. Members must know the pleasure the possession of a puppy gave to poor children; but poor parents would have to deny them this pleasure if they could not afford to pay the tax. The particular dog it was desirable to put down was the animal that belonged to no one, or that was, at all events, owned by nobody—the dog that went wandering about without a local habitation, or was unowned directly the taxgatherer applied.

That class of dog would not be affected by the imposition of a higher tax, the tendency of which might, perhaps, be to increase its numbers; while the pleasure of a great many poor people, who were unable to pay the additional tax for some favourite, would be spoiled without there being any increase in the Revenue. Therefore, the object of the tax would not be attained, because the dog would not be put down whose numbers ought to be diminished; while the tax would have the effect of lessening the number of dogs which were not unnecessary, and which gave a great deal of pleasure to a class of persons whose feelings the House ought to consult.

SIR GEORGE DOUGLAS said, he thought that the thanks of the country were due to the Chancellor of the Exchequer for having directed his attention to a question which, however small a matter it might appear to some persons, was a source both of danger to individuals and of injury to property. The late lamentable outbreak of hydrophobia had caused a great deal of suffering and the loss of many valuable lives. The county which he represented had escaped that great evil, but being a pastoral district, it had suffered much from the injuries inflicted by wandering dogs—for bands of men and lads were in the habit of going out from the towns on Sundays and other holidays, accompanied by a numerous following of dogs, which they did not attempt to control; but allowed them to hunt and range about the fields, doing much injury to sheep, particularly in the lambing season, and later to fattening cattle, by chasing and disturbing them.

MR. DODSON said, they had heard a great many speeches on this clause, which proposed to increase the duty on dogs by 2*s*. 6*d*.; but no one had yet shown how that increase would operate. The Chancellor of the Exchequer's speech appeared, as far as he could understand it, to be in favour of the extermination of dogs; but the right hon. Gentleman had not shown how the imposition of another 2*s*. 6*d*. on the tax would effect that object. The hon. and learned Member for Marylebone (Mr. Forsyth) had spoken in favour of reducing the number of dogs, but his whole argument had been that what was wanted was better police supervision. The additional 2*s*. 6*d*. would, as far as it would have any effect at all, be quite as likely or more likely to increase as to diminish the number of stray dogs; because, when the time approached for paying the duty, the owner of a dog who was not inclined to pay 7*s*. 6*d*., would be as likely to turn it adrift as to put it to death. He thought the tax came from two causes—one, the general objection on the part of country gentlemen, which he could perfectly understand, and to a certain extent sympathize with, that dogs running about loose got into covers and disturbed the game; the other was the apprehension, particularly on the part of dwellers in towns, of the danger of dogs. Last Autumn there had been an unusual alarm of hydrophobia, and, in consequence of the dread of the disease which existed, there was an extraordinary quantity of correspondence in the newspapers on the subject. The Chancellor of the Exchequer had stated that one of the great inducements he had had to make his proposition on the subject of the tax was the number of letters he had received on the subject. But, in the dull season, newspapers must have something to fill their columns. The subject last Autumn had been hydrophobia; the Autumn before it, was the comparative charges and badness of English and foreign hotels; and the Autumn before that, it was the dangers of the Alps, or something else. If the Chancellor of the Exchequer desired to put down dogs, let him make the tax 10*s*. or £1 at once; but, if his object were to have a reasonable tax, he could not do better than keep it at 5*s*. If the Amendment were pressed, he should vote for it.

MR. RODWELL felt rather surprised that the right hon. Gentleman (Mr. Dodson) should have suggested that the stories in the newspapers about hydrophobia were altogether illusory; because, if one thing was established more than another by statements independent of those of the Chancellor of the Exchequer, it was that there was, in both town and country, a large number of useless dogs. If the Chancellor of the Exchequer could increase the Revenue and at the same time decrease the number of dogs, the public would be under great obligations to him. The right hon. Member for the City of London (Mr. Goschen) had offered the best argument in favour of an increase of the tax, when he had stated that there were people who were willing to pay 5*s.* who could not afford to pay 7*s.* 6*d.* So much the better, if the increase compelled them to part with their dog; because, if they could not afford to keep their families properly and pay the tax, the sooner, in the interests of their wives and families, that they gave up the luxury the better. The right hon. Gentleman had gone on to talk about the humanizing influence of dogs, but that entirely depended upon the sort of dog. He had heard of a dog, whose master was Bill Sykes, and that was not a humanizing kind of animal. There were a great many dogs of that type, he thought, in the district in which the hon. and learned Member for Stockport (Mr. Hopwood's) constituency was situated. He could never see the humanizing effect of ladies' lapdogs; but, of course, that was a matter of opinion. The curse of dogs in towns was greater than in the country. In the country, if a man kept a lurcher it was pretty well known, and if the keeper knew his business he could keep such dogs out of the covers. Looking at the new proposition from all points of view, he believed that, in a small way, the proposition of the Chancellor of the Exchequer was about as acceptable as any the right hon. Gentleman could make.

Sir ANDREW LUSK thought that the right hon. Gentleman the Member for the City of London (Mr. Goschen) had put the question on a false issue. He approved the increase of the duty, and did not think it was fair to object to it after the Chancellor of the Exchequer had consented to an allowance off income tax for depreciation of machinery, and to a diminution of the house tax. He believed that the Revenue would be increased by the tax, just as the Chancellor of the Exchequer contemplated. Hon. Gentlemen in the habit of sitting as magistrates must repeatedly have had children before them, dreadfully bitten by dogs, and there was little power to punish the owners in such cases. Great injury to the public was done in this way. He did not believe the increase in the tax would decrease the number of dogs on which it would be paid.

Mr. PARNELL differed with the hon. and learned Member opposite (Mr. Rodwell) as to the influence of the society of dogs upon men. Nearly all dogs were humanizing, but there were some men who could not be humanized. The hon. Member would recollect that Bill Sykes's dog would not come to him after the murder had been committed. That showed that Bill Sykes's dog was really a very superior dog indeed. The condition of the dog depended not so much upon the dog itself as upon the master. All dogs were capable of being more or less civilized, but there were some men who could not be humanized. However, to return to the subject, it was to be noted that the Chancellor of the Exchequer practically admitted that the object of the increase in the tax was not so much to augment the Revenue as to diminish the number of dogs throughout the country. Now, he (Mr. Parnell) protested against this round-about method of doing business. If the Chancellor of the Exchequer wished to act straightforward, and to diminish the number of dogs at large, he ought to have introduced a Bill for that purpose. If they came to consider the subject fairly, they would not, practically speaking, put a stop to the dogs they saw running about in every town, and they were the dogs to be most dreaded. It turned out, from the course the debate had taken, that the country Gentlemen opposite did not desire to get rid of the dogs because they were disagreeable in the country, but only because they were disagreeable in towns and villages. He (Mr. Parnell) admitted, to the fullest extent, that stray dogs were exceedingly disagreeable in towns and villages; but then the question came, whether the means which the Chancellor of the Exchequer had adopted would remedy the evil? All of them who had from time to time walked about London had certainly been confronted by dogs seemingly mad. It was when dogs were lost, when they had been driven out of their houses, that they got into that state which generated madness. It was when they were tortured by thirst and hunted in the streets by boys that they went mad. He admitted that the object which the Chancellor of the Exchequer appeared to have set before himself for attainment was a very proper one; but he could not agree that the way he proposed to effect it was the correct way. The Chancellor of the Exchequer proposed to attain his object by letting loose hundreds of thousands of dogs all over the country. That was, practically speaking, the proposition he had submitted to the Committee. He had told the Committee that he thought that the dogs would be reduced by one-half if this extra tax was levied, and if the police exerted themselves to prevent dogs from escaping the payment of the tax. If the police really did the duty that was imposed upon them, the owner would be driven to the choice of three courses. He could, in the first place, endeavour to either sell his dog or get rid of it by giving it to his neighbour. If the dog happened to be of a worthless description, or if he had not got a good-natured neighbour, he would be unable to sell it, or even give it away. If he could not do that, he would have to adopt one of two measures; he would either have to drive it into the street, or else to poison or shoot it. He submitted, that the owner of a dog, in nine cases out of 10, would prefer to drive his dog into the streets, than to hang it or to put an end to its life by some other method. Had the Chancellor of the Exchequer ever seen a dog hanged? It was one of the most painful sights conceivable. He (Mr. Parnell) saw one once, and it certainly made a very painful impression upon his mind, that could not be easily erased. It was shortly after the dog tax was introduced into Ireland, at which time a great many dogs were hung in that country. He (Mr. Parnell) recollected taking a walk at that time, in the course of which he saw a man hanging a fine sheep dog. The dog was swinging at the end of a rope; and the unfortunate owner, who was very fond of it, and who was only doing away with it because he could not pay the tax, was standing with his back turned to it, and with tears in his eyes. Anything more cruel than the spectacle he then witnessed he could not imagine. What was then done in Ireland was what the Chancellor of the Exchequer proposed to do now in England. He was going to adopt almost the identical measures to bring about a diminution in the number of dogs; for he placed it in the hands of the police to see that these taxes were collected, and empowered them to summon the owners when the taxes were not paid. Of course, the result of that action would be that dogs would be hung in all directions. If the Chancellor of the Exchequer confined himself to raising or increasing the Revenue, it would have been far better. The right hon. Gentleman had admitted that he did not propose this additional tax for the purpose of increasing the Revenue. The fact was, that the Chancellor of the Exchequer had been pressed by numerous letters from all parts of the country, and that had led him to propose this addition. He (Mr. Parnell) did not believe hydrophobia would be diminished one bit by the increased tax, but that, on the contrary, it would be increased very much; for more stray and mad dogs would roam about the streets than hitherto, because their owners, not caring to kill them, would turn them adrift. Under these circumstances, he felt bound to support the Motion before the Committee.

Mr. H. SAMUELSON, as a lover of dogs, thought it rather hard that an addition should be made to the tax upon them without any intention on the part of the Government of obtaining an increased Revenue. He did not believe that the outcry against hydrophobia last year was at all warranted. He had inquired into the matter a good deal, and his conviction was that the apparent increase in the number of cases of hydrophobia was due to the greater attention which was paid to them, not a single case being allowed to pass unnoticed. Besides, dogs were often said to have hydrophobia when their malady was nothing of the kind. So far as game was concerned, he did not think the proposed tax would effect any good. The most dangerous dogs were those which accompanied carts, &c., from town to town, and which were put through every bit of cover on the roadside by their masters. Now, over these dogs, the police would have little or no control. His chief objection to the proposed tax, however, was that it would give rise to a number of new offences, causing men to be summoned and fined who at present never appeared in a police court.

Mr. HOPWOOD remarked, that a good many hon. Members seemed to be out of sympathy with those for whom they had to legislate. For instance, the hon. and learned Member for Cambridgeshire (Mr. Rodwell), arguing in favour of the proposed tax, said it would take away dogs from families who had no business to keep them. He (Mr. Hopwood) should like to ask him, with all respect, what right he or that House had to decide what the number of mouths should be in a particular household, and who was to prevent the children, if they chose, from giving a morsel of their bread and butter to the household favourite?

Question put.

The Committee *divided*:—Ayes 122; Noes 30: Majority 92.—(Div. List, No. 104.)

MR. PARNELL rose to move, in page 7, line 40, after "dog," to insert—

> "belonging to any person who has the necessary qualification for voting for Members of Parliament, and whose name is on the list of Parliamentary electors for any borough or county."

The Amendment, he explained, was for the purpose of excluding from the operation of the Bill all dogs not belonging to registered Parliamentary voters. The Chancellor of the Exchequer hoped, by means of this tax, to put an end to a vast number of dogs throughout the country. Now, the people unable to pay the tax, would be chiefly those who did not possess the Parliamentary franchise, and it was they whom he (Mr. Parnell) proposed to exempt. It appeared to him that if the tax were intended not to increase the Revenue, but to diminish the number of dogs in this country, the object in view might be better attained in some other way. In the city of New York, it was the duty of the police to arrest all stray dogs, and take them to a place set apart for their reception. That was the course of procedure in all American towns. In some of the States, however, different laws existed, and the regulations partook of a local character. Therefore, the law as to stray dogs in the State of New York was entirely different from that prevailing in Cincinnati. The career of stray dogs was, however, effectually put a stop to. The proposal of the Chancellor of the Exchequer, however, would not increase the Revenue, neither would it carry out the objects which many of his supporters had in view. The danger to the public would not be diminished; on the contrary, he was of opinion that it would be very much increased. Instead of having dogs arrested, as in New York and Cincinnati, they would be allowed to run about the streets, thus becoming a nuisance and a danger to the public. The proposal, therefore, he had to submit to the House was simply this—that the class of dogs which was not likely to be taxed under any circumstances, and which would not, as the Chancellor of the Exchequer had admitted, contribute to the Revenue, should be omitted from the Bill. Dogs not expected to contribute to the Revenue ought not to be included in the Budget proposals. He submitted that hon. Members on the other side of the House—Representatives of the counties—ought to support his Amendment, inasmuch as they had said that they did not wish to get rid of the dogs in the counties, but simply desired to have security against the numerous stray dogs of the towns and villages. Of course, the class of dogs that would not be exempted under the provisions of his Amendment, would be very much more numerous in the towns than in the counties. Hon. Members from the country ought, if they were consistent, to support the Amendment. It had been said that the House of Commons laboured under a very great disadvantage in not having Representatives of the classes whose interests were affected in the House. For instance, if the representatives of the dogs, which were to be exterminated by the Budget proposals of the Chancellor of the Exchequer, were in a position to state their views with regard to those proposals, it would be a very great advantage to the Chancellor of the Exchequer. He believed that those proposals would be met with a great amount of opposition, and that they would be most unpopular throughout the country. He would not go the length of saying that they would have their influence at the next General Election, but thought that the action which had been taken in that direction would diminish the popularity of the Government of this country. Therefore, from that point of view, the Government ought, in its own interests, to support the proposal he had to bring forward. He begged to move, in Clause 17, page 7, line 40, after "dog," to insert—

> "belonging to any person who has the necessary qualification for voting for Members of Parliament, and whose name is on the list of Parliamentary electors for any borough or county."

THE CHANCELLOR OF THE EXCHEQUER begged the hon. Member to treat the matter in a serious manner. The effect of the adoption of the Amendment would really be to impose a fine upon persons who were qualified to vote for Members of Parliament, and who placed their names on the list. It would be a most extraordinary violation of Constitutional doctrine, if they tried to discourage voters from voting.

MR. PARNELL said, that the only objection which the Chancellor of the Exchequer had brought forward was not a very valid one. In fact, it was a very Conservative reason why the right hon. Gentleman should support the Amendment before the House. The Chancellor of the Exchequer had said that the effect of its adoption would be to prevent people from placing their names on the register of voters. Why, that was the very thing that the Conservative Government had been trying to do. All their Registration Acts were framed so as to prevent people from placing their names on the register.

Amendment, by leave, *withdrawn.*

MR. CHAPLIN (for Earl PERCY) moved, in page 8, line 3, after "sixpence," to insert—

"Provided always, That no person shall be chargeable with Duty to any greater amount than thirty pounds for any number of hounds kept by him in any one year, and."

He said, that the object of the Amendment was a very simple one, and he hoped that it would not be considered an altogether unreasonable proposal. It was to enable the owners and masters of packs of hounds to compound for them by paying one sum for the whole of the pack. There was a precedent for this course. In 1853, when the tax on dogs was 12*s*. 6*d*., masters of hounds were able to compound for 66 hounds by a payment of £39 12*s*. 6*d*. What reason existed for the selection of 66 as the number, he was really not in a position to state. In the present case they had selected 40 couple of hounds; because, taking all the packs throughout the country, that appeared to be the general average. He knew that there were certain objections raised a few nights ago with reference to a proposal of this kind. He was sorry that he was not in the House on that occasion. He gathered, however, that those objections were, in the first place, that there was no reason for the exemption; and, in the second place, that the objection really amounted to the statement that it was a piece of class legislation. With regard to there being no reason for the exemption, he thought that he should be able to show to the Committee that that was an entire mistake. On a former occasion, the Chancellor of the Exchequer stated that one of the main—if not the main—objects of the tax was to reduce the number of stray or wandering dogs. But packs of hounds, it must be remembered, were always kept under the most careful and vigilant supervision. The proposal he had brought forward could certainly not be accurately described as a piece of class legislation. Hunting, so far from being a class amusement or pursuit, was the most public and popular recreation in this country. So far from being discouraged, everything ought to be done to encourage it. In the hunting field all were on the same level, enjoyed the same support, jumped over the same fences, and very often alighted in the same ditch.

Amendment proposed,

In page 8, line 3, after the word "pence," to insert the words "Provided always, That no person shall be chargeable with Duty to any greater amount than thirty pounds for any number of hounds kept by him in any one year, and."—(*Mr. Chaplin.*)

Question proposed, "That those words be there inserted."

THE CHANCELLOR OF THE EXCHEQUER regretted that he could not accept the proposal. He fully recognized all that had been said with regard to hunting. It was, undoubtedly, a national sport, and one which might be regarded as very different from class interests. At the same time, however, he thought that they ought to take care that they were just in their proceedings, and he confessed that he was unable to see the justice of the proposition. Of course, the matter was wholly different from the question which would come up by-and-by with regard to dogs not yet entered. Of course, there were circumstances which they would consider with regard to the number of hounds actually entered. The House, however, must, in justice, see that it would be impossible to have a compounding of the kind proposed, with the arbitrary line of 40 couple, without leading them into difficulties.

Mr. CHAPLIN could not consider as satisfactory the reasons advanced by the Chancellor of the Exchequer. The right hon. Gentleman had said that it was impossible that he could accept the Amendment, and that he should not be acting justly if he did so. The Amendment, however, only contemplated a reversion to the old principle of years gone by. It was abandoned in 1867, because the tax was lowered to a very small sum. It appeared to him, therefore, that the tax being now raised again, it was only reasonable that, in the interest of the sport they all desired to uphold, they should revert to the old state of affairs. He should be compelled, reluctantly, to divide the House on the subject, if his proposition was not accepted by the Government.

Mr. BEACH pointed out, that, with regard to small packs, the sum proposed would be rather in excess of the amount; and that, in the case of large packs, it would be rather curtailed. Though he thought it was a fair amount to be paid by a three-days-a-week pack, it would hardly operate fairly as a whole. A fair system of compounding could be arrived at, if a certain standard were taken for a pack which hunted three times a-week; and that it should vary according to the number of days which a pack hunted in the week.

Sir GEORGE CAMPBELL said, that it was not only a question of small and large packs. It was a question of the millionaire's pack and the pack of the small owner—the ratcatcher, for instance. When the proposal was first suggested on the other side of the House that a special remission should be made in favour of the rich man's hounds, he did not think that it would be seriously persevered with. It would be an atrocious piece of class legislation, that a tax should be imposed upon the dogs of the poor which was not imposed upon the dogs of the millionaire.

Question put.

The Committee *divided*:—Ayes 40; Noes 129: Majority 89. —(Div. List, No. 105.)

Clause *agreed to.*

Clause 18 (Repeal of 30 and 31 Vict. c. 5 s. 10, and 32 and 33 Vict. c. 14 s. 38) *agreed to.*

Clause 19 (Exemption of dog under two months old) *agreed to.*

Clause 20 (Provision as to hound-whelps).

Mr. CHAPLIN said, he understood the object of the clause to be to exempt hounds from any tax until they were entered and used in the pack. In his opinion, however, that object would not be completely effected if the words "under the age of twelve months" were retained in the clause; and he should, therefore, move that those words be struck out.

The CHANCELLOR of the EXCHEQUER said, he could not assent to the omission of the words, because to do so would interfere with the proper adjustment of the tax.

Amendment *negatived.*

On Question, "That the Clause stand part of the Bill?"

Dr. CAMERON said, he should propose that the clause be omitted. When the Chancellor of the Exchequer suggested that the age of exemption in the case of dogs generally should be fixed at two months, instead of six, there might have been some reason for the special exemption provided by that clause for hound-puppies; because there was, he believed, a necessity for maintaining a large number of young puppies, in order to keep at its proper level the strength of any pack of hounds. Now, however, as the age of six months was to be retained for dogs in general, there existed no good reason for any such exemption. For many years past —certainly since 1853—there had been no exemption of the kind. In that year the masters of fox-hounds had been allowed to compound for the tax; but that privilege had been done away with in 1859, and they were required to pay the tax on their dogs like the rest of the community. But now it was proposed, while requiring the owners of all other classes of dogs—even of that formerly favoured class, the greyhound—to pay the tax for them after the age of six months, to make an exemption in favour of hound-whelps up to the age of 12 months. The hon. Member for Mid Lincolnshire (Mr. Chaplin) had a few minutes before stated that the main object of increasing the tax from 5*s.* to

7*s.* 6*d.* was to keep down the number of stray dogs, but that hounds were always kept under the most careful and vigilant control. He would, however, remind the hon. Gentleman, that the proposed exemption did not apply to hounds, but to whelps, which had not been entered with the pack. As to fox-hunting, while he did not wish to say a word against it, he would point out that there were numbers of persons who did not agree with those who entertained a very great admiration for the sport. A Member of that House, he might add, had told him only the other day that he had lost a very large proportion of his lambs owing to the hounds in his neighbourhood going across his farm two or three days in the week, doing a larger amount of damage than would be likely to be caused by a great number of stray dogs. He need not press the argument further, and would conclude by observing that he looked upon the exemption provided by the clause as a gross piece of class legislation.

The CHANCELLOR of the EXCHEQUER said, the principle of the clause was, in point of fact, the very same as that upon which exemption had been claimed the other day for all puppies under the age of six months. The truth was, that it was impossible, with regard to a large number of young hounds, to tell whether they would be kept or not until they were brought into the pack and tried in order to see what their probable value might be. The practice had been, and still was, that those young hounds were sent to various parts of the country to be kept, and it was only when they were brought back that it was decided by the master of the pack whether he should keep them or not. The hon. Gentleman wished to know why any change should be made in the practice which had been settled with respect to the taxation of those puppies? and he had to inform him, that it was not intended by means of the clause to make any change, but merely to retain the present practice. In all such matters, the Excise had regulated the manner in which the tax should be levied, and it had 'always been the practice to exempt young hounds until they were brought into the pack for work. Now that legislation on the subject was being made more stringent, it had been deemed necessary to accommodate the laws to the practice which, in his opinion, was a reasonable one. For these reasons, he could not assent to the omission of the clause.

Mr. MONK maintained that it was equally impossible to tell whether setters, pointers, retrievers, and, indeed, all sporting dogs, would be useful or not until they were 12 months' old, and that it was monstrous to exempt from the operation of the tax one class of dogs to the exclusion of other classes. He did not know by what right, so-called, the Excise had hitherto exempted young hounds from the tax, and it was absurd to suppose that they were the only description of dog whose qualities for usefulness it was impossible to determine until they were 12 months' old. He hoped his hon. Friend (Dr. Cameron) would take a division on the clause, unless the Chancellor of the Exchequer signified his willingness to extend the exemption which it provided to all dogs.

Mr. C. S. PARKER wished to say a word on behalf of a class of dogs which did not come within the category of sporting dogs. If the probable usefulness of hounds, setters, and pointers could not be ascertained until the age of 12 months, neither could that of the collie; and he hoped, that if the clause were retained in the Bill, the exemption would, on Report, be extended to young shepherd dogs also.

Mr. BEACH said, it was quite impossible for a master of hounds to know whether he ought to be liable to the tax or not on young puppies while they were out at walk until he had an opportunity of inspecting them and ascertaining whether they were fit to take their place in his pack or not, in the room of old and worn-out hounds. The fair arrangement was that the master should pay the tax only for those hounds which he kept, and such a proposal was certainly not justly open to the charge of being class legislation.

Mr. DODSON said, it would assist the Committee very much in coming to a decision on the clause if the Chancellor of the Exchequer would inform them what was the law at the present moment with respect to the taxation of fox-hound whelps. The right hon. Gentleman had stated that they had hitherto been exempted by the Excise; but were the Committee, he should like to know, to infer from that statement, that the law had given the Excise a discretion with respect to this particular class of hounds, or that an exception had been made in their favour contrary to law? Upon what authority had the exception been made?

THE CHANCELLOR OF THE EXCHEQUER said, he was informed that it had not been the practice to enforce the levying of the tax on those hounds. He did not know on what authority that course had been pursued.

MR. GOSCHEN thought it should be ascertained whether there had been any breach of duty on the part of the Excise officers in the matter—for the exemption was either legal, or it was not. It would, he thought, be productive of great inconvenience, that it should go forth to the public that a particular class of dogs had been exempted from taxation at the discretion of the Excise, and that new legislation had to be founded on a custom which had thus grown up, and which was not in accordance with the law. He was sure the Committee were anxious to allow the Chancellor of the Exchequer to make progress with the Bill; but he would, perhaps, think it well to re-consider whether, under the circumstances, he would persevere with the clause.

VISCOUNT GALWAY said, the practice referred to was one which had existed before the present Government came into Office. Packs of hounds were different from setters and pointers, which were only kept for private sport; and he would also remind the Committee that a hound was really of no use until it was entered in the pack, at the age of 12 months—until that time he was quite untrained. He might further observe, in reply to the remarks of the hon. Member for Perth (Mr. C. S. Parker), that it was the general custom in Scotland to put collie dogs to use at six months' old, and that that could not be done with hounds. If too high a tax were imposed on hound-puppies, masters of hounds would be very much limited as to the number which they could send out to be reared, and the packs all over the country would, in consequence, become very much deteriorated. That he did not think was at all the wish of the Committee; and he, therefore, hoped the Chancellor of the Exchequer would stand by the clause. If he did, he would have the public with him.

SIR GEORGE CAMPBELL expressed his great regret that the Chancellor of the Exchequer should have retained in the Bill a proposal, which must be a great blot on his Financial Scheme, inasmuch as it would be regarded by the country as a piece of class legislation. The argument of the right hon. Gentleman involved the doctrine that no dog ought to be taxed until it was fit for the purposes for which it was intended. Now, if that were so, the exemption ought to be extended to other classes of dogs besides hounds. He was afraid he might be charged with irreverence, if he introduced the name of the ratcatcher again; but the principle of the clause was, in his opinion, clearly as applicable to the ratcatcher's young terrier as to hound-puppies, for the former could not be employed for the purposes for which he was intended until he had reached a certain degree of maturity. If the exemption were not based on principle, then it could be defended only on the ground that fox-hunting was a national amusement which deserved to be encouraged. Well, it could not, at all events, be denied, that it was a rich man's amusement; and that, for every hound that paid the tax under the operation of the Bill, there would be one, or two, or three men, who would spend hundreds or thousands a-year for the purpose of keeping horses to follow the hounds. Well, if a man could keep a horse to do so occasionally, he would be enjoying, no doubt, a very healthy exercise; but there were, on the other hand, gentlemen who made a business of hunting, and who spent month after month, and year after year, following a beast he did not wish to catch. Fox-hunting, pursued in that way, he, for one, looked upon as a most contemptible occupation.

SIR ROBERT PEEL said, the hon. Gentleman who had just sat down, and who had, in his hearing, spoken twice that evening, had, on both occasions, informed the Committee that he addressed the Government with very great grief. If, however, the hon. Gentleman would only take to fox-hunting, he would be doing something to relieve that grief. But, be that as it might, the clause was one which he hoped the Government would adhere to; for it was entitled to the support of hon. Members, whether they were admirers of fox-hunting or not. It was a pity that some of those who complained of the provisions of the Bill should not have taken the trouble to read it. The hon. Member for Perth (Mr. Parker), in his most persuasive manner, pleaded on behalf of collie dogs; but he seemed to be unaware that they were exempted from the operation of the Bill. As to the observations of the hon. Member for Gloucester (Mr. Monk), he really was surprised to hear that hon. Gentleman talk as he had done about pointers and setters, forgetting that it was the amusement of their grandfathers to go out shooting with pointers and setters, and that no sensible man would think of doing so at the present day. Pointers and setters were probably a sort of recreation to the hon. Member; but the sport now, as the hon. Member for Mid Lincolnshire (Mr. Chaplin) had said, was fox-hunting, which was a truly national sport. For that sport, hounds had to be educated; and he felt sure the Committee would not refuse to give its assent to the proposal of the Chancellor of the Exchequer, by adhering to the clause which he had inserted in the Bill—a clause, not making any class exemption, as some hon. Members had endeavoured to show, who were jealous of fox-hunting, probably, because they were too heavy to get over the fences, and unmindful of the fact that it was a sport which more than any other tended to bring all classes together.

MR. DODSON said, he was not going to make an appeal to the prejudices of the Committee, either against class legislation or in favour of fox-hunting as a national sport. What he wished to do, was to put the point under consideration before them, calmly, as a matter of legislation. From the reply given by the Chancellor of the Exchequer, a few moments ago, the Committee were left in the dark as to whether the clause was unnecessary, as merely re-enacting that which was already the law, or whether it was a piece of new legislation, which was to sanction that which had hitherto been done contrary to law. If the latter, the Committee ought to know clearly what they were about; and he should, therefore, suggest to the Chancellor of the Exchequer, that he should withdraw the clause without prejudice, and bring it up on the Report, when he would, perhaps, be able to tell the House exactly what the state of the law really was.

THE CHANCELLOR OF THE EXCHEQUER said, there was no doubt that the state of the law at present was that there ought to be a licence taken out for every dog over six months' old, unless in the case of certain exemptions. The system, however, on which the law had been administered was by no means strict, and one of the objects of the Bill was to make it so. It would introduce the action of the police, and would throw the onus of proof as to the age of a dog on the owner. It would, in short, make the administration of the law stricter in various ways. Hitherto, the practice had been to send hound-puppies out to different farms, to be kept there until the time arrived for bringing them back to kennel. When sent out, they would, of course, be very much under six months' old. It had not been the practice of the Excise officers to look after them; and they, as well as, he dared say, a great number of other dogs, had escaped the tax, because the system under which it was worked was a lax system. Under that lax system, puppies only a few weeks' old had been left at the farms at which they were placed, and had not been charged with the tax until brought into kennel. Their case being a peculiar one, he proposed to meet it by the present clause, which, in his opinion, was a reasonable one. He did not, therefore, see any good ground for withdrawing it.

MR. H. SAMUELSON said, he could not admit that fox-hunting was an amusement exclusively for the rich, as was proved by the great numbers of foot-people who embarrassed a popular master of hounds. Indeed, he did not think there was any sport which gave so great an amount of pleasure to so large a number of people of all classes. He could not, at the same time, support the clause; for he could not see the justice of making an exemption in the case of masters of hounds, which was denied to the poor man who kept dogs.

MR. STACPOOLE expressed his astonishment at one observation which had fallen from the hon. Member for Kirkcaldy (Sir George Campbell). He understood him to say that fox-hunting was a contemptible amusement.

SIR GEORGE CAMPBELL pointed out that that was not a correct version of what he had said.

Mr. STACPOOLE had understood the hon. Gentleman to say so; but he would remind him that the Duke of Wellington had kept a pack of hounds in the Peninsula.

Sir ANDREW LUSK contended that there was no justice in making an exception in favour of hounds to the exclusion of the poor man's dog. Equal justice should be extended to all kinds of dogs. Whether it was a pointer, a setter, a retriever, or a hound, a dog was a dog for all that. Here was an exemption asked for in favour of noblemen's and gentlemen's hounds. He said it was most indefensible, and he was astonished that sporting gentlemen should ask for so mean an advantage.

Dr. CAMERON said, that the speeches which had been made in supporting the exemption had been marked by a plentiful lack of argument. There should be no difficulty in collecting the tax on fox-hounds. They did not belong to poor or sordid people, to whom a half-crown was a serious object; but they belonged to gentlemen to whom 50 half-crowns could be no object. And what was the amount of the encouragement it would offer to fox-hunting, looking on it as a national sport? It would not affect a master of fox-hounds to the extent of a £5 note. There could not be the shadow of a doubt as to what the law on the subject was, and the true course would be to collect the arrears due; but he did not propose that—it might bear too hardly on the national amusement—but he would suggest that, for the future, the right hon. Gentleman the Chancellor of the Exchequer should take care that every dog had his due. If the Excise had allowed these exemptions, they had exceeded their duty.

Major O'BEIRNE observed that there was only one pack of hounds in Ireland that was not kept up by subscription, and that was the pack kept by the Marquess of Waterford. All other packs were subscription packs, and everybody paid his half-crown towards them, whether he had on a red coat or a black one—showing that it was really a national sport.

Question put.

The Committee *divided:*—Ayes 147; Noes 48: Majority 99.—(Div. List, No. 106.)

Clause 21 (Mode of obtaining exemption in the case of shepherds' dogs).

Mr. E. S. HOWARD moved to insert, in page 8, line 39, after "number"—

> "or in the case of a farmer the extent of whose farm obliges him to employ one or more shepherds in respect of two dogs in addition for each shepherd so employed."

The hon. Gentleman said, he was glad the Chancellor of the Exchequer had recognized the claims of shepherds' dogs to exemption; but he could not understand why the right hon. Gentleman should stop at the number two. Many sheep-farmers in the North of England, and in Scotland, required more than two dogs to carry on their sheep-farming. He proposed by this Amendment, therefore, to extend the number to as many as might be necessary, and he proposed to allow two dogs for every shepherd or guide so employed. He was not wedded to the particular Amendment he had drawn, however, and if the Chancellor of the Exchequer could devise any better mode of giving effect to his intentions, he should be very glad.

Mr. WHITWELL moved, as an Amendment in page 9, line 2, after "following," to insert—

> "Where the owner or occupier of a sheep farm, the sheep belonging to whom feed on common or unenclosed land, proves to the Commissioners that it is needful for the exercise of his occupation to keep more than two sheep dogs; the Commissioners may grant a certificate of exemption from duty in respect of such dogs, to the extent of three dogs when the number of sheep on such farm exceeds four hundred; and, further, to the extent of one other dog for every five hundred sheep so kept over and above the first five hundred, but in no case to exceed eight dogs so exempted on any one farm."

He was glad to see that the Chancellor of the Exchequer had realized the importance of the question before the Committee, as he had done in the case of horses. Dogs were really an instrument of the shepherd's trade. He could not do without them. One hon. Member had spoken of the influence of dogs, and he might say they were sometimes more humane in their instincts than were men. But, more than that, the dog became the shepherd's trusty companion in the darkness, in the cold, and in dry and sultry weather. The shepherd roamed about the hills, and needed for many purposes the help which the dog gave him. Without that help his sheep would go astray, and oftentimes get into danger. And, since the alarm caused by the spread of foot-and-mouth disease, it was the more necessary that the sheep should be constantly brought under the inspection of the shepherd, and looked after by him, which he could only do by means of dogs. In fact, he could not do without his dogs; and he, therefore, trusted the Chancellor of the Exchequer would be as large in his views as he possibly could. He had made investigations among farmers in the North of England, more especially in Cumberland and Westmoreland, with respect to their wants; and from the statements they had made, he thought the Amendment he had proposed would meet their case. He did not think they could do with less than he had proposed; but he was satisfied with the observations of the hon. Member for East Cumberland (Mr. E. S. Howard), that the hired shepherd should also have his two dogs allowed him.

The CHANCELLOR of the EXCHEQUER said, he doubted whether there should be any alteration in the clause as it was drawn; for, as he understood the practice, it was that in taking out licences for shepherds' dogs in Scotland, usually the shepherd was allowed his two dogs, and under the clause, as it stood, the shepherd would be entitled to have his licence for those two dogs without being required to pay extra in respect of them. He had considered the matter with the Inland Revenue, however, and proposed to move an addition to the clause, which, he thought, would be preferable to the Amendments either of the hon. Member for Kendal (Mr. Whitwell), or of the hon. Member for East Cumberland (Mr. E. S. Howard), though it went very much on the lines indicated by the proposal of the hon. Member for Kendal. What he (the Chancellor of the Exchequer) proposed, was to move, at the end of the clause, as a separate sub-section—sub-section 3—that, where the keeper of a sheep-farm, having more than 400 sheep, which fed on common or uninclosed land, so that more than two dogs were required to be kept by him for tending them, and that being stated by him in a declaration, he should be entitled, on that statement, to exemption in respect of a third dog kept by him solely for such purpose; and if the number of sheep amounted to 1,000, then in respect of a fourth dog; and the same in respect of an additional dog for every 500 sheep kept by him on the farm above 1,000, provided always that there should not be exempted more than eight dogs in respect of the sheep kept on the farm. He thought that proposal would meet all the wants of the case.

Amendments (*Mr. Stafford Howard* and *Mr. Whitwell*), by leave, *withdrawn.*

The CHANCELLOR of the EXCHEQUER moved the insertion of the following sub-section at the end of the clause:—

"Where the occupier of a sheep farm owns more than four hundred sheep which feed on common or unenclosed land, so that more than two dogs are required to be kept at a time for the purpose of tending the sheep, he shall be entitled to receive a certificate of exemption in respect of the third dog kept by him solely for such purpose, and if the number of sheep amounts to one thousand in respect of the fourth dog so kept, and in respect of an additional dog for every five hundred sheep over and above the number of one thousand, provided that not more than eight dogs are exempted on one farm."

Mr. WHITWELL said, he was willing to accept the Chancellor of the Exchequer's proposal; but he wished, that in place of his limit of 1,000, the right hon. Gentleman would consent to say 750.

Amendment *agreed to.*

Sub-section *inserted.*

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

The CHANCELLOR of the EXCHEQUER moved the insertion of a new clause, exempting from tax the dogs used by blind persons.

Clause *agreed to,* and *ordered* to stand part of the Bill.

Mr. J. P. CORRY (for Mr. Chaine) moved, in page 8, after Clause 19, to insert the following clause:—

(Exemption in England for dogs taxed in Ireland.)

"It shall not be necessary for a licence to be taken out in respect of any dog for which the licence for the current year shall have been paid in Ireland."

The CHANCELLOR of the EXCHEQUER opposed the Motion, observing that those dogs had not contributed to the Revenue, and if they were brought over to this country they should pay.

Amendment *negatived.*

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow,* at Two of the clock.

PUBLIC WORKS LOANS BILL.

(*Mr. Raikes, Sir Henry Selwin-Ibbetson, Mr. Sclater-Booth.*)

[BILL 138.] COMMITTEE.

Order for Committee read.

GENERAL SIR GEORGE BALFOUR complained that the Act of 1875 had not been complied with. The House was entirely ignorant whether there was any just cause for the large extent of these loans, and he maintained that the Government were bound to give some explanation. The next point he had to complain of was that the same Act required the publication of the accounts and the laying of the same before the House. At present, the Local Government Board admitted that that portion of the Act had not been complied with. The Report of the Public Works Loan Commissioners had been kept back so long that the House was not in the possession of information which it ought to possess in time to discuss the Report. Another point he had to complain of was this. Last year the Public Works Loan Commissioners received in excess no less than £30,000, and that remained outstanding until the 31st of March. That was an evil which ought to be remedied. The Audit Act required that all sums of money for any local authority should be submitted to examination. In the case of the Public Works Loan Commissioners, that had not been done; and, therefore, he did earnestly hope that the statements he made, which were well-founded, would be investigated. A sum of £18,000,000 was directly involved; and he maintained, therefore, that the complaints which he made ought to lead to inquiry.

MR. SCLATER-BOOTH said, that the attention of the Public Works Loan Commissioners would be drawn to the statements of the hon. and gallant Gentleman. There was an elaborate Report published last year of the transactions of previous years. It was not so full, perhaps, as it might be; but if it was necessary to go back into previous years, no doubt, that would be attended to on another occasion. Not only would these demands be laid on the Table of the House, but an Estimate, founded on the demands made, should be presented to Parliament in order to found a Bill.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 3, inclusive, *agreed to.*

Clause 5 (Cancellation of debt due in respect of Wigan Church).

MR. RYLANDS asked for some further information respecting the loan which was advanced for the purpose of building or restoring the parish church at Wigan. The point he wished to raise was, that there seemed to have been a delay of several years, during which period the Public Works Loan Commissioners took no steps in order to enforce the payment of a sum of public money from the churchwardens of Wigan.

SIR HENRY SELWIN-IBBETSON said, he would state in a few words what happened in the case of the Wigan loan. The amount of the original loan was about £4,540, of which three instalments had been paid. After the third instalment, it seemed that the parish authorities ceased to make any further payments, and a correspondence passed between the Public Works Loan Commissioners and the parish authorities, the latter asserting that their area of rating, having been diminished, owing to the creation of district parishes and separate townships, they were, or ought not to be, held liable for the amount that had been lent to a very different district. This correspondence seemed to have gone on for a considerable period, for it was not until 1867 that legal proceedings were first taken against the parish with a view to the recovery of the outstanding debt. The case was first tried in the Court of Queen's Bench, and the defendants, through their counsel, argued upon the facts which they had previously set out in their correspondence with the Public Works Loan Commissioners. They argued, also, that the period for which the loan had originally been granted had lapsed, and that, consequently they were no longer liable. Judgment was given against the parish authorities, but they carried their appeal from that decision to the Court of Exchequer. The appeal was heard in 1874, and the judgment of the Queen's Bench was reversed. The case was then carried to the House of Lords, who confirmed the reversal of the decision of the Court of Queen's Bench. The effect of that final decision was to make it impossible to recover any of the money, and hence the necessity for the clause introduced into the Bill of the present year.

General Sir GEORGE BALFOUR said, the question had not been properly stated. It was a fact, that from 1857 to 1863, nothing was done with regard to this loan. At the time it was granted, the Treasury was made responsible for the collection of all loans. The question which the Committee had to consider was this—that they were losing very considerable sums of money. He might say that they had struck off £1,000,000 or £2,000,000 as dead loss on account of those loans, from first to last, and they had no security that these losses were not going on at the present time. He had looked very carefully into the matter, and he wished to draw the attention of the Committee to the fact that the amount of interest outstanding upon loans in the last three years had been gradually increasing. In the year 1875, the amount of outstanding interest was £311,000; in 1876, it was £338,000; and, in 1877, it was £354,000. He did not mean to say that was all bad interest; on the contrary, a portion of it might be got; but, as far as the House was concerned, they were involved in millions, and they had nothing but a bit of paper to show them whether the Treasury was looking after the funds or not. He contended that many of these loans must be in bad order. It was impossible for the rate of interest to go on increasing from £311,000 to £354,000 in three years, without some of them being in a bad state; and he submitted, that the Act of Parliament required that they should be made acquainted with the whole of the circumstances in connection with these loans, in order that they might judge how they stood with regard to them. [Sir William Edmonstone: Oh, oh!] The hon. and gallant Admiral cried "Oh, oh!" but he (Sir George Balfour) would remind him that a sum of £18,000,000 was directly involved, and recommended him not to accept, as well-founded, the statement that the loan to which attention had been called was the only one in bad order.

Mr. DILLWYN would like to know whether there were many more loans like that in question? [General Sir George Balfour: Oh, many.] Because it appeared to him that they had been sustaining considerable loss, and that loans were given rather indiscriminately. He should like to know on what principle the Exchequer Loan Commissioners acted in making advances of public money. It might be well to grant loans for drainage or harbour works; but he did not think that they ought to be granted except for works of public necessity—not, at all events, on the security of the rates.

Mr. SCLATER-BOOTH said, that the great bulk of the loans now advanced were under the Sanitary Acts, the Artizans and Labourers Dwellings Act, and the Education Act, at low rates of interest. There were also the Harbour loans, which were advanced under a previous Act, at a small rate of interest. Besides these—in former days—the Exchequer Loan Commissioners, who were a different body from the Public Works Loan Commissioners, were empowered to make advances generally for public works; and there was no doubt that, in a great many instances, loans were formerly advanced on the security of the church rates. On the abolition of those rates, no doubt, difficulties arose in many quarters; and, although a power was reserved to the Government, in respect of the recovery of loans which had been advanced on the security of those rates, it was found extremely difficult, where the inhabitants meant to plead the abolition of the rates, to take advantage of that provision of the law. He was not aware that there were any bad debts outstanding at the present time. No doubt, a good many had been struck off, from time to time, by the authority of Parliament; but cases similar to the present could not occur again. There were other advances, which the Public Works Loan Commissioners were in the habit of making, especially advances for the building of workhouses; but all these loans were raised at 5 per cent interest, and had been a profitable investment to the public. No doubt, it would be desirable, before another year came round, to consider whether there ought not to be further restrictions in regard to future loans; but he would point out that, in the event of any restriction upon the issues of the Public Works Loan Commissioners being introduced into this Act, or one of a similar character, it would be doing very little more than the Commissioners themselves did by their own authority, and at the instance of the Treasury, at the present time. What was really required was the adoption, by the House, of something in the shape of a Standing Order, with a view of imparting uniformity to the action of Select Committees in dealing with the money clauses of Private Bills.

General Sir GEORGE BALFOUR thought that much of what the President of the Local Government Board had said was well worthy of the consideration of the House; but the right hon. Gentleman was under a mistake in saying that some of the sums now before them were the only ones dropped in 1875. In three years, no less than £20,000 had been struck off the loans which had been granted. He was totally ignorant of any authority having been given by the House for any such amount to be struck off; and, therefore, he would again urge that there should be a clean sweep made of all their bad debts. He by no means contended that they should cease to make advances for useful purposes, because they had acted foolishly in past times.

Mr. THOMSON HANKEY observed, that the Second Report of the Commissioners, which would be ready in the course of a few days, would give a list of all the amounts outstanding.

Sir ANDREW LUSK wanted to know who was to be held responsible for the granting of these bad loans? In his opinion, any Government was wrong which became traders and lent money in this manner. The principle was bad altogether for a Government to enter into competition in the lending of money.

Clause *agreed to.*

Mr. A. MOORE proposed the insertion of a new clause to enable the Public Works Loan Commissioners to lend money for the purposes of industrial schools in Ireland. No doubt, everybody was complaining of the enormous amount of expenditure which was at present going on in connection with these loans; but he did not wish to add to their amount by this clause, but merely to include industrial schools amongst the objects for which the loans might be borrowed. He had brought the subject forward last year, when he thought the principle for which he contended was conceded; but such appeared not to be the case, though he must say if the Chancellor of the Exchequer would now consent to this proposal he would confer a very great boon indeed. The increase for educational purposes in England was £200,000 this year alone, as compared with £5,000 for Ireland, and £8,000 for Scotland. Under these circumstances, he thought the Government might well make this concession. Hitherto these schools had been built by private subscriptions, and he knew one instance in which £9,000 was expended. If the Government would consent to lend money for these institutions, it would be coping with pauperism in the best possible manner.

Mr. SCLATER-BOOTH sympathized with the object of the hon. Member, but he had made his proposal at a rather unfortunate moment. There would not be such security in connection with these industrial schools as the Commissioners obtained in respect of other public works to which they advanced money. The hon. Member must feel, after what had taken place, that at present it would not be desirable to add to the number of classes of public works to which these loans might be extended.

Clause *negatived.*

Preamble *agreed to.*

House *resumed.*

Bill *reported,* without Amendment; to be read the third time *To-morrow,* at Two of the clock.

ADULTERATION OF SEEDS ACT (1869) AMENDMENT BILL—[Bill 139.]

(*Mr. Clare Read, Sir William Earle Welby-Gregory, Mr. Butt.*)

SECOND READING.

Order for Second Reading read.

Mr. CLARE READ, in moving that the Bill be now read a second time, said, its object was to amend the Act of 1869. That Act had been useful in many respects, and had prevented many nefarious practices which had previously existed. But there was one matter which the Act did not touch. Heated, old, or immature seeds could be coloured, and if they did not change their kind or sort, the colouring was no adulteration. A case was recently heard before Mr. Benson, one of the Metropolitan police magistrates, where a man had dyed old clover seed, and had sold it as new, genuine, and of good vitality, and Mr. Benson said that he very much regretted that, under the Act as it then stood, he could not convict the defendant. An appeal was made to the High Court of Justice, and the decision of the police magistrate was sustained; though, in giving judgment, the Lord Chief Justice said he regretted exceedingly having to arrive at that conclusion, because he looked upon what had been done as a wicked fraud, and one which ought, if possible, to be brought under the operations of the Act. It was a detestable and abominable fraud, to give to any seed used in agriculture an appearance of vitality which, in point of fact, it did not contain. This was the justification he had for bringing forward the Bill, and he hoped the House would consent to read it a second time. The name of the hon. and learned Member for Limerick (Mr. Butt) was on the back of the Bill, and this would show that the small farmers of Ireland, as well as the large agriculturists of England, were interested in putting a stop to such practices as those to which he had referred. The hon. Member concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Clare Read.*)

Motion *agreed to*.

Bill read a second time, and *committed* for *Monday*, 6th May.

BLIND AND DEAF-MUTE CHILDREN (EDUCATION) (*re-committed*) BILL.

(*Mr. Wheelhouse, Sir Andrew Lusk, Mr. Isaac.*)

[BILL 72.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That this House will To-morrow, at Two of the clock, resolve itself into the said Committee."—(*Mr. Wheelhouse.*)

SIR CHARLES W. DILKE said, that when the Government took Morning Sittings for their work, it was most improper for private Members to put down their Bills, and thus necessitate hon. Members who might oppose them coming down to the House to watch whether they were reached or not. He moved, as an Amendment, that the Bill be deferred to Monday, the 6th of May.

Amendment proposed, to leave out the words "this day, at Two of the clock," in order to insert the words "upon Monday 6th May," — (*Sir Charles W. Dilke,*)—instead thereof.

Question proposed, "That the words 'this day, at Two of the clock,' stand part of the Question."

MR. WHEELHOUSE said, this was his Bill, and he was entirely at a loss to understand why he should not be allowed to fix its being proceeded with for any day he thought proper.

MR. MONK said, ever since the Bill had been read a second time, it had been on the Orders every day, and that he looked upon as most unfair to those hon. Gentlemen who opposed it.

MR. SCLATER-BOOTH said, the hon. and learned Member for Leeds (Mr. Wheelhouse) was put to great inconvenience in consequence of the half-past 12 o'clock Rule, and he did not see what was open to him to do more than he proposed to do. A private Member had a perfect right to put down his Bill, on any day he thought proper, in the hope that it might be reached and proceeded with.

Question put.

The House *divided* :— Ayes 44; Noes 15: Majority 29.—(Div. List, No. 107.)

Main Question put, and *agreed to*.

Committee *deferred* till *To-morrow*, at Two of the clock.

MOTIONS.

BURIAL LAW AMENDMENT BILL.

LEAVE. FIRST READING.

Considered in Committee.

(In the Committee.)

MR. BALFOUR moved—

> "That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend and declare the Law of Burial."

Sir WILFRID LAWSON asked the hon. Gentleman to explain what the nature of the Bill was. Already this Session they had had two measures on this subject.

Mr. BALFOUR said, his object was simply to embody, in the form of a Bill, an Amendment which he brought forward at the time the Bill of the hon. and learned Member for Denbighshire (Mr. Osborne Morgan) was before the House. That Amendment, to his mind, offered a satisfactory solution of the question, and the proposal was this—All members of whatever denomination, might be buried in the churchyards, with what orderly and decent rights they pleased, except in those cases where there was already a cemetery within reach. If the cemetery existed, or was subsequently provided, then the churchyard reverted to its present legal condition.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend and declare the Law of Burial.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Balfour, Lord Francis Hervey, Mr. Cowper-Temple, and Mr. Wait.

Bill *presented,* and read the first time. [Bill 154.]

GOLD AND SILVER HALL MARKING.

Select Committee *appointed,* "to inquire into the operation of the Acts relating to the Hall Marking of Gold and Silver manufactures."—(*Sir Henry Jackson.*)

TRAMWAYS ORDERS CONFIRMATION (NO. 1) BILL.

On Motion of Mr. J. G. Talbot, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Aldershot and Farnborough Tramways, Bolton and Suburban Tramways, Gloucester Tramways, Moss Side Local Board Tramways, Newton Heath Local Board Tramways, Reading Tramways, Sunderland Tramways, Wavertree Local Board Tramways, West Derby Local Board Tramways, and Wolverhampton Tramways (Extension), *ordered* to be brought in by Mr. J. G. Talbot and Viscount Sandon.

Bill *presented,* and read the first time. [Bill 151.]

TRAMWAYS ORDERS CONFIRMATION (NO. 2) BILL.

On Motion of Mr. J. G. Talbot, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Cardiff Tramways (Extensions), Manchester Corporation Tramways, Manchester Suburban Tramways, Oldham Borough Tramways, and Rusholme Local Board Tramways, *ordered* to be brought in by Mr. J. G. Talbot and Viscount Sandon.

Bill *presented,* and read the first time. [Bill 152.]

GAS AND WATER ORDERS CONFIRMATION BILL.

On Motion of Mr. J. G. Talbot, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Gas and Waterworks Facilities Act, 1870," relating to Bognor Gas, Dysynni Gas, Elland Gas, Formby Gas, Godalming Gas, Greenhithe Gas, Sandown Gas, Shanklin Gas, Weston-super-Mare Gas, Alcester Water, Cuckfield, Haywards Heath, and Lindfield Water, Fowey Water, Frith Hill, Godalming, and Farncombe Water, Holywell and District Water, Newquay Water, Norwood (Middlesex) Water, Wokingham Water, Hoylake and West Kirby Gas and Water, New Tredegar Gas and Water, and Walton-on-the-Naze Gas and Water, *ordered* to be brought in by Mr. J. G. Talbot and Viscount Sandon.

Bill *presented,* and read the first time. [Bill 153.]

COUNTY COURTS JURISDICTION (NO. 2) BILL.

Select Committee on the County Courts Jurisdiction (No. 2) Bill to consist of Nineteen Members:—Committee *nominated:*—Mr. Solicitor General, Mr. Hibbert, Mr. Forsyth, Mr. Birley, Mr. Watkin Williams, Mr. Hermon, Mr. Bulwer, Mr. Rowley Hill, Mr. Norwood, Mr. Gregory, Mr. Alexander M'Arthur, Mr. Morgan Lloyd, Mr. Gordon, Sir George Bowyer, Mr. Clive, Mr. Puleston, Mr. Whitwell, Mr. Charles Lewis, and Sir Eardley Wilmot:—Five to be the quorum.

COUNTY REPRESENTATIVE COUNCILS (IRELAND) BILL.

On Motion of Mr. Butt, Bill to make provision for the better administration of public moneys now levied by presentment in Ireland, and for the establishment of Representative Councils in the Irish Counties, *ordered* to be brought in by Mr. Butt and Mr. M'Carthy Downing.

Bill *presented,* and read the first time. [Bill 155.]

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, 16*th April,* 1878.

MINUTES.]—Public Bills—*Committee—Report*—Railway Returns (Continuous Brakes) (75).

Royal Assent—Mutiny [41 *Vict.* c. 10]; Marine Mutiny [41 *Vict.* c. 11]; Threshing Machines [41 *Vict.* c. 12]; Bills of Exchange (Acceptance) [41 *Vict.* c. 13]; Local Government Provisional Orders (Bristol, &c.) [41 *Vict.* c. viii].

CHAIRMAN OF COMMITTEES.

Moved, That the Lord Steward be appointed to take the Chair in the Committees of the Whole House in the absence of the Lord Redesdale: *Agreed to.*

RAILWAY RETURNS (CONTINUOUS BRAKES) BILL—[*Lords.*]—(No. 75.)

(*The Lord Hartismere.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Earl DE LA WARR moved, as an Amendment, in Schedule, page 3, column 2, to add "and on lines in connection with them."

Lord HENNIKER said, he could not consent to the Motion of his noble Friend, and he thought he would hardly wish to press it, when he (Lord Henniker) had stated his reasons for objecting. In the first place, he thought the information required could be obtained without difficulty by the Returns already provided for by the Bill; and, secondly, it would not beat all convenient, or right, to require one Railway Company to make a Return relating to another Railway Company. On these grounds, he could not consent to his noble Friend's Motion.

Amendment (by leave of the House) *withdrawn.*

Bill *reported,* without Amendment; and to be read 3ª on *Monday,* the 13*th of May* next.

EMPLOYERS' LIABILITY FOR INJURIES TO SERVANTS.

QUESTION. OBSERVATIONS.

Earl DE LA WARR rose to call atteention to the Report from the Select Committee on Employers' Liability for Injuries to their Servants—communicated from the Commons to the Lords; but said he would now confine himself to asking, Whether it is the intention of Her Majesty's Government to propose any amendment of the law as recommended in that Report?

Earl BEAUCHAMP, in reply, said, that the Attorney General announced last week to the House of Commons that it was his intention to introduce in the present Session a Bill on the subject. How far that Bill would be on all fours with the recommendations of the Select Committee, he was not prepared to say. Besides, such a statement would be premature before the introduction of the Bill. The more convenient course would be to wait for the Bill.

THE EASTERN QUESTION — THE AUSTRO-HUNGARIAN MONARCHY — SPEECH OF THE EARL OF DERBY.

EXPLANATION.

The Marquess of SALISBURY: My Lords, before the House separates for the Recess I have to make a short statement, which I should much rather not have to make, but which I cannot properly abstain from laying before your Lordships. Shortly before I came down to the House this afternoon I saw the Austrian Ambassador, who represented to me that words used by my noble Friend Lord Derby, a week ago, have caused so much pain to persons of high authority in the Austro-Hungarian Monarchy, and especially to the officers of the Army of that Monarchy, that he thought some words uttered by me in this House, before the House separated, would be pleasing to those to whom the observations that were used apply, and would, on general grounds, also be desirable. My Lords, if I had had an opportunity, I should have been glad to have spoken to my noble Friend Lord Derby before making such reference, but the time that remained would not allow it. My noble Friend is reported to have said, that a portion of the Austrian Army, distinguished by its Slav nationality, could not be trusted to fight against the Russians. I have no recollection that my noble Friend said that; but it is imputed to him in some reports, and the reports differ on the subject. But, whether he said it or not —if he said it at all—whatever observations he made with respect to the Austro-Hungarian Army, or the Austro-Hungarian Monarchy, were made on his own responsibility alone. As far as I can make out, there is nothing in the Foreign Office on which such observations could have been founded. They were his own expressions as an individual Member of Parliament, and in no way bore any reflection from his recent official position. And they are sentiments—and I may apply the same observations to what was said of the French Government—which are in no way shared by Her Majesty's Government.

THE DUKE OF ARGYLL: My Lords, I listened to Lord Derby's speech the other night very attentively, and I certainly did not understand him to say that the Austro-Hungarian Army would never fight.

THE MARQUESS OF SALISBURY: Only a part of it.

THE DUKE OF ARGYLL: Or only a part of it. What I understood him to argue was, that there were circumstances which made it improbable that Austria would take an armed part against Russia.

LORD DENMAN recollected that the late Foreign Secretary, in his speech, expressed an opinion that any reliance on Austra would be very little trustworthy, and he (Lord Denman) referred to the intercourse of Sir Robert Murray Keith, as Ambassador at Vienna; he also referred to the year 1762, when, in a case which reminded him of the present state of Constantinople, that distinguished man—in an interview with Count Shouwaloff, Chancellor of the Russian Empire—who had believed it possible for the Czarina to conquer and retain Prussia—said that their keeping that Province would be a perpetual object of jealousy to other Powers, and a source of troubles in Europe, as there was not a single Power in it but had an essential interest in preventing it; or if, by some great fatality, it could not at present be hindered, to join with the rest in laying hold of the first opportunity of wresting it out of their hands. Monsieur Shouwaloff could not see that the possession of so small a Province should give jealousy to the rest of Europe, ending with this—that it might, at least, be left in their hands, as a deposit, till other means of indemnification could be found. Sir Robert Murray Keith replied, that neither keeping it in possession or deposit was even to be thought of; and, that if either of them were ever seriously proposed, it would give cause of much jealousy to all the world, as it would indicate clearly a design in Russia to make herself mistress of the navigation of the Baltic, and, consequently, to engross to herself the whole commerce of the North. He (Lord Denman) reminded their Lordships that Russia wished to be Depositary of the Principalities in 1853. He had alluded, on almost the last day of last Session, to a despatch issued on that morning, in which an Ambassador or Minister had agreed with the Earl of Derby that the occupation of Constantinople could not be viewed with indifference. He (Lord Denman) also said, on that occasion, that he might apply to fanatical wars the words of Cowper—

> "Let active laws supply the needful curb,
> To guard the peace which riot would disturb."

In these days, when collisions of steamers sent two vessels at once to the bottom, and when conflicts were like a duel across a pocket-handkerchief—only on a large scale—he hoped that war might be avoided; but Treaties must be well considered, and, either with or without modification, be observed.

THE EASTER RECESS—ADJOURNMENT OF THE HOUSE.

Then, on the Motion of the Earl of BEACONSFIELD—

House adjourned at half past Four o'clock,
to Monday the 13th of May next,
a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, 16*th April*, 1878.

MINUTES.]—NEW WRITS ISSUED—*For* North Staffordshire, *v.* The Right hon. Sir Charles Bowyer Adderley, K.C.M.G., now Baron Norton; *for* Tamworth, *v.* Robert William Hanbury, esquire, Chiltern Hundreds.

PUBLIC BILLS—*First Reading*—Education (Scotland) * [156]; Endowed Schools and Hospitals (Scotland) * [157]; Entail Amendment (Scotland) * [158].

Second Reading—Pier and Harbour Orders Confirmation (No. 1) * [148].

Considered as amended — Customs and Inland Revenue [146].

Third Reading—Public Works Loans * [138], and *passed.*

The House met at Two of the clock.

PRIVATE BILLS.

Ordered, That Standing Order 129 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to Monday the 6th day of May next.—(*The Chairman of Ways and Means.*)

QUESTIONS.

THE ARMY RESERVES—THE METROPOLITAN POLICE.—QUESTION.

Sir CHARLES W. DILKE asked the Secretary of State for the Home Department, Whether the Army Reserve men who are in the Metropolitan Police will be allowed to rejoin that force when their services with the Army may be no longer needed?

Mr. ASSHETON CROSS: Oh, yes, Sir; certainly.

CRIME (IRELAND)—MURDER OF THE EARL OF LEITRIM AND OTHERS.

QUESTIONS.

Mr. LAMBERT asked the Chief Secretary for Ireland, If, after the recent triple murder in Donegal, he has considered what stringent and prompt measures should be taken by the Government to deal with crimes of that nature; and if he has considered the desirability of assimilating the Jury Laws of Ireland to those of Scotland, where the majority of a jury convict, so as to provide the same security for the well-disposed people of Ireland as of Scotland?

Mr. SULLIVAN: Before my right hon. and learned Friend answers that Question, I wish, Sir, by your permission, to ask another. I should like to know, Whether the Government will, during the Easter Recess, consider the propriety of holding a rigid investigation into all the circumstances surrounding and preceding this most lamentable occurrence?

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) (for Mr. J. Lowther): Sir, in answer to the first Question, I have to say, that immediately after these terrible murders were committed, the Government at once took measures for the discovery of the murderers. The investigations are still going on, with what, I may hope, will turn out to be satisfactory results. But the Government have not considered the advisability of assimilating the Jury Laws of Ireland to those of Scotland. With regard to the Question of the hon. and learned Member for Louth, I must say that the Government have had no Notice whatever of that Question; but I may state that I think it improbable that any such course as that suggested by the hon. and learned Member will be adopted.

THE EASTERN QUESTION—THE TREATY OF SAN STEFANO—THE SEAPORT OF BATOUM.

QUESTION.

Captain PIM asked Mr. Chancellor of the Exchequer, Whether his attention has been called to the statement in the "Standard" of the 15th instant, that

> "Dervish Pasha, having been instructed to evacuate Batoum, reports that the inhabitants regard the transfer to Russia with horror and despair, and refuse to comply with the order;"

and whether Her Majesty's Government intend to take any steps to prevent interference with this important Armenian seaport?

The CHANCELLOR of the EXCHEQUER: Sir, I have seen the paragraph to which the hon. and gallant Gentleman refers, but Her Majesty's Government have received no official information on the subject of the seaport of Batoum, which would be one of the matters that would have to be considered by the Conference.

RAILWAYS—BRAKE POWER.

QUESTION.

Mr. M. BROOKS asked the President of the Board of Trade, If his attention has been called to the fact that on Tuesday last, the 9th instant, a passenger train on the Dublin, Wicklow, and Wexford Railway did, owing to inadequate brake power, run past the Dalkey Station, where it was appointed to stop, and continue its course without control, for nearly a mile, to Glenageary Station; whether the line between Dalkey and Glenageary is not single, and if, on the occasion referred to, within less than one minute, a passenger train from Glenageary did not arrive at Dalkey by that line; and what steps are being taken to oblige the Dublin, Wicklow, and Wexford Railway to provide adequate brake power?

VISCOUNT SANDON: Sir, we have made inquiries from the Dublin, Wicklow, and Wexford Railways as to the statements in the hon. Member's Question, and have received a reply which we do not fully understand. We have, therefore, tetegraphed to Major General Hutchinson, who is at present in Ireland, to inquire into the matter and to report to us. If the hon. Gentleman will wait till after Easter, detailed information may be forthcoming. Meanwhile, the hon. Gentleman is at liberty privately to read the letter received from the Railway Company.

SOUTH AFRICA—POSITION OF AFFAIRS.—QUESTIONS.

MR. KNATCHBULL-HUGESSEN asked the Secretary of State for the Colonies, Whether, before the House rises for the Easter Recess, he will be prepared to make a Statement relative to the condition of the Transvaal territory and South African affairs generally, especially with reference to the military operations being now carried on?

SIR MICHAEL HICKS-BEACH: Sir, the purport of the information which I am able to give to the House on this subject may be comprised in a few words; and therefore, with the permission of the House, I will reply to the right hon. Member's Question now. As he surmises, the attention of the Cape and Transvaal Governments continues to be almost entirely occupied with the military operations for the suppression of the Kaffir outbreak and the threatening attitude of the Zulus and other Natives on the Transvaal frontier. The detailed accounts which we receive from time to time of the conduct of the Imperial military operations continue to be satisfactory, though I fear that a longer time may elapse before the final suppression of the outbreak than appeared probable a few weeks ago. General Thesiger has assumed the command, and the Imperial and Colonial Forces are working together in complete harmony under his direction. I am happy to add that we have no confirmation whatever of the alarming reports that were current last week of great losses sustained by the Imperial troops and the death of one or more distinguished officers. Such reports are often entirely without foundation, and, as an instance of this, I may refer to a telegram from Sir Bartle Frere, read last night by my noble Friend the Under Secretary, in "another place," from which it appears that an officer of Engineers, who had been reported killed in action the week before, had quite recovered from his accident. With regard to the Transvaal, our intelligence is less satisfactory. The negotiations in progress for the settlement of the boundary difficulty with the Zulus have partly relieved us from apprehension in that quarter, and may, I hope, lead to a settlement of the question without resort to force. But we have reports of a Native outbreak in another direction, which I understand has been suppressed; and there is much that is not satisfactory in the attitude of a portion of the Boer population. Sir Theophilus Shepstone has asked for reinforcements, and I understand from a telegram from Sir Bartle Frere that these reinforcements will be despatched as soon as possible. Yesterday I laid a further instalment of Papers on this subject before the House, and these will be in the hands of hon. Members during the Recess.

MR. KNATCHBULL-HUGESSEN asked, What was the date of the latest news which had been received, and whether Parliament, on re-assembling, would be put in possession of the latest information then in the hands of the Government?

SIR MICHAEL HICKS-BEACH: said, he would take care to put the House in possession of the latest information. The latest despatch from the Transvaal was dated February 21, and the latest telegram from Sir Bartle Frere March 26.

PRISONS (SCOTLAND) ACT—PRISON BOARD CLERKS.—QUESTION.

MR. M'LAREN asked the Secretary of State for the Home Department, Whether his attention has been called to the fact that several of the Scotch County Prison Board Clerks, who are in receipt of salaries for other public offices, some of them solicitors in large practice, and others acting as bank agents, are demanding compensation under section 60 of the Scotch Prisons Act of 1877; and, whether it was the purpose of Her Majesty's Government, in assenting to this section of the Act, to include such cases, or only persons who are deprived by the said Act of all other ostensible means of livelihood, or by the abolition of prison offices to which their time was mainly or wholly given?

MR. ASSHETON CROSS: Perhaps my right hon. and learned Friend the Lord Advocate will answer the Question.

THE LORD ADVOCATE: Sir, the Prisons Act of last year gives, in the first instance, to the old prison authority a discretionary power of awarding compensation to officers deprived of their offices, their decisions being liable, however, to review and correction by the Commissioners of Supply. We have not had an opportunity of knowing, except by the Question of the hon. Member, the fact that demands of this extravagant kind have been made upon the prison authorities. It was not the intention of the Government or of the Home Secretary to have anything to do with awarding these pensions. We thought it better to leave this matter entirely to the good sense and discretion of the local executive bodies, who ought to be best able to judge of the requirements of each applicant. I have only to say, further, that although, no doubt, applications have been made of the character indicated by the hon. Member, we see as yet no reason to suppose that the discretion intrusted to the local bodies will be abused by them.

PRIVATEERING.—QUESTION.

CAPTAIN PIM asked Mr. Chancellor of the Exchequer, Whether his attention has been called to statements in the Press that

> "the Cesarewitch has been appointed President of the Russian Committee formed to arm privateers in case of a war with England;"

that "several American steamers have already been purchased;" that a large force of officers and men is held in readiness for immediate privateering service; that a consignment of torpedoes adapted for privateers has been received in Russia from an English firm; and that no less a sum than £10,000 has been offered to the Russian Government for one "letter of marque;" 100 vessels being available on the same terms at a month's notice for this purpose, not only without cost to Russia, but actually paying into their Exchequer no less a sum than £1,000,000 for the privilege; and, whether Her Majesty's Government will, before it is too late, demand the intentions of Russia with respect to their employment of privateers or "letters of marque" in the event of war?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have seen statements to that effect, and also many other statements equally alarming. I can only say that we have received no official information on the subject. Considering that Russia was a party to the Declaration of Paris, under which privateering was abolished, it is not to be expected that any such measures would be adopted on her part.

METROPOLIS—THE UNION OF BENEFICES ACT.—QUESTION.

MR. PERCY WYNDHAM asked the Vice President of the Council, Whether the various Addresses to Her Majesty in Council with reference to Commissions recently issued under the Union of Benefices Act have yet been laid upon the Table of the House; and, whether, considering the Commissions involve the destruction of five City Churches, namely, St. Matthew Friday-street, St. George Botolph-lane, St. Mildred Bread-street, St. Ethelburga, and St. Margaret Pattens, exclusive of St. Dionis Backchurch, now in process of demolition, he would consent to give the House some notice before the Addresses to Her Majesty in Council are, in accordance with the Act, laid upon the Table of the House?

LORD GEORGE HAMILTON, in reply, said, that the Question of the hon. Member referred to schemes which had been submitted to Her Majesty's Government for the consolidation of benefices and the demolition of churches. No such scheme had yet been laid on the Table of the House. Under the 15th section of the 23 & 24 *Vict.* c. 142, all such schemes must be laid on the Table of the House for two months before they were submitted to Her Majesty in Council, and thus his hon. Friend would have an ample opportunity of calling attention to such schemes before they were submitted to Her Majesty in Council.

ELEMENTARY EDUCATION ACT— SUPERIOR ELEMENTARY EDUCATION.

QUESTION.

Mr. WHEELHOUSE asked the Vice President of the Council, Whether the following statement issued by the School Board of Bradford, Yorkshire, be the legitimate object of any School Board formed under the Elementary Education Acts, seeing that each school is supported by rates:—

> "The design of the Board is to provide in both these schools a superior elementary education; to realize this object the course will be more enlarged than that of the ordinary elementary schools, and the instruction will be carried further by special teaching than has been found practicable in such schools;"

whether or not it be with the knowledge and sanction of the Educational Department of the Privy Council that ratepayers under the Elementary Education Acts should be called upon, compulsorily, to pay for pupils who, under the Board School system, are taught the subjects named under the "second" head of the following curriculum:—

> "First, the subjects included in the Six Standards of the New Code—viz., reading, recitation, writing, arithmetic, dictation, grammar, composition, geography, history, object lessons, drill, vocal music, and needlework (for girls). Second, drawing, English literature, social economy, and the specific subjects of the New Code—viz., Latin, French, mathematics—algebra and euclid, physical geography, mechanics, animal physiology, domestic economy (for girls). Chemistry, botany, and other sciences may be taken up without extra charge, in evening classes, under the Science and Art Department;"

and, if not, whether steps will be taken by the Council to prevent the provisions of the Elementary Education Acts being so applied?

Lord GEORGE HAMILTON: Sir, some time back the Bradford School Board started, as an experiment, an advanced elementary school. This experiment met with much support, so much so that a requisition, largely signed by ratepayers, was sent to the Board asking them to establish another advanced elementary school. The Board applied to the Education Department for leave to charge in these schools a uniform rate of 9*d.* under the Elementary Education Act, and the Department consented, having taken adequate steps to protect children in the district whose parents were unable to pay the higher fee. All the subjects proposed to be taught, with the exception of social economy, are recognized and paid for by the Education Department. I am not, therefore, prepared to admit that the proposal of the Bradford School Board is contrary to the provisions of the Elementary Education Acts.

ARMY—RETIRED VOLUNTEER OFFICERS.—QUESTION.

Colonel BERESFORD asked the Secretary of State for War, Whether Officers of Volunteer Regiments, to whom, upon retirement Her Majesty has been pleased to grant permission to retain their rank and to wear the uniform of their corps are not entitled to be designated by that rank while employed in the various departments of the public service?

Colonel STANLEY: Yes, Sir, they are entitled to retain those designations, if they should think so fit.

TURKEY—CRETE.—QUESTIONS.

Mr. SHAW LEFEVRE asked the Under Secretary of State for Foreign Affairs, Whether it is true that, in spite of the Armistice effected at the instance of Her Majesty's Consul between the insurgents of Crete and the Turkish troops, the Turks have made renewed attacks upon the insurgents, and are sending fresh troops to the island; and, if so, whether the Government proposes to take any action in the matter?

Mr. BOURKE: Sir, from information which we have received lately, we have reason to believe that the truce has been broken between the Turkish forces and the insurgents of Crete. It is said, that this has taken place in consequence of the Turkish troops having marched into Christian villages. It is said also, on the one hand, that the Turkish troops did this at the invitation of the Christian inhabitants of those villages. On the other hand, it is said that if that invitation were given to the Turkish troops, it was given by inhabitants who did not represent the feeling of the Christian population. That is all the information I can give the hon. Gentleman upon that subject. A telegram received within the last day or two from Mr. Layard states that Reschid Pasha had proceeded to Crete to take command of the troops, and that he was also accompanied by Server Pasha. Mr. Layard adds that both these officers are very well spoken of, and have given the strongest assurances that they will do their best to repress and restrain the excesses of the troops, and to restore as speedily as possible peace and tranquillity to the island.

MR. MONK asked the Under Secretary of State for Foreign Affairs, When the Papers in reference to Crete will be laid upon the Table?

MR. BOURKE, in reply, said, he hoped that some of them would be laid upon the Table this afternoon, and that he hoped they would all be in the hands of hon. Members before the end of the Holidays.

SOUTH AFRICA—THE WAR EXPENDITURE—QUESTION.

MR. WHITWELL asked the Chancellor of the Exchequer, When the subject of the advances now being made out of home funds for the war now being carried on in the interior of the colony of the Cape of Good Hope will be brought before Parliament?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am unable to say how soon this subject can be brought before Parliament. Communications on the matter have been going on between the War Office and the Colonial Office and between the Colonial Office and the State Government. There has been very recently a change of Government at the Cape, and the Cape Parliament is about to meet. My right hon. Friend the Secretary of State for the Colonies has pressed upon the attention of the Governor at the Cape the necessity of causing this matter to be brought before the Cape Parliament as its first business, and it will, no doubt, be laid before them at the earliest opportunity. It is impossible, at the present moment, to say how soon information on the subject will be received.

THE EASTERN QUESTION — MINISTERIAL STATEMENT.—QUESTIONS.

MR. W. E. FORSTER: Sir, I beg to ask Mr. Chancellor of the Exchequer a Question of which I have given him private Notice. The House is in an unusual, and I may add an anxious, position. We are about to separate for a much longer Recess than usual, and at a time when there is grave anxiety whether peace will be maintained. This anxiety is increased by the statements and rumours in the daily papers, not only as regards the present position of our negotiations with Russia, but as regards the isolation of this country and the state of affairs at Constantinople. I would, therefore, ask Mr. Chancellor of the Exchequer, Whether he can give the House any information with regard to our foreign relations which may tend to restore confidence and to give the hope of a peaceful arrangement?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am not in a position, without inconvenience, to enter into any details upon the present aspect of affairs; but I can say, generally, in answer to the right hon. Gentleman's Question, that nothing whatever has occurred which should give occasion for increased anxiety on this question, nor in any way diminish the hope we entertain of a satisfactory arrangement being arrived at of the difficulties in which we undoubtedly are placed. The matter has been under discussion in this House within the last week or two, and nobody can doubt that the situation is one of an anxious character, and the steps which have already been taken have not failed to show that such is the opinion of Her Majesty's Government. Nothing, however, has occurred since which in any way increases the gravity of the position, or which tends to diminish the hopes of an ultimate satisfactory arrangement. I may say, with reference to the particular point in which interest has been expressed, that, as regards the condition of Thessaly and the Piræus, great hopes are entertained that a satisfactory arrangement will be arrived at, through the good offices of Her Majesty's Government between the Porte and the Greek Government, which may put a stop to further fighting in those districts. I may also mention that the Circular which was published some time ago in the newspapers has been received from Russia and presented to Her Majesty's Government, and we have reason to believe that another Circular is about to be issued by the Porte.

Mr. W. E. FORSTER: Sir, I do not know whether it would be possible for the right hon. Gentleman or for the Government to secure that the despatch to which he has just alluded, or any other important despatches which may be received during the Recess, shall be sent to hon. Members or given to the public? I believe that sometimes information of the kind has been given to the newspapers.

The CHANCELLOR of the EXCHEQUER: Sir, no doubt, if any information of an important character reaches us during the Recess, which can properly be made public, that course will be taken. I am reminded that I omitted to refer to one part of the right hon. Gentleman's Question that should not be allowed to pass without remark. The right hon. Gentleman refers to the isolation of this country; but there is nothing whatever to justify that expression.

Mr. W. E. FORSTER: Sir, the right hon. Gentleman has not answered that part of my Question with regard to the state of affairs at Constantinople.

The CHANCELLOR of the EXCHEQUER: Sir, there is nothing whatever in regard to the state of affairs in Constantinople which in any way increases our anxiety.

MOTIONS.

PARLIAMENT—THE EASTER RECESS.

OBSERVATIONS.

Motion made, and Question proposed,

"That this House will, at the rising of the House this day, adjourn till Monday the 6th day of May next."—(*The Chancellor of the Exchequer.*)

Sir WILFRID LAWSON said, he thought that this Motion should not pass without a word from somebody. It was the most extraordinary Motion that had been heard in this extraordinary Session. They were asked to break up, and not meet again for three weeks. ["No, no!"] Well, three weeks all but a day. Last year they only adjourned for a week at Easter, and it did seem to him most extraordinary that, at a crisis like the present, they should be called on to take so long a holiday. If anyone had more right than another to complain, he thought it was himself; because it was only eight days ago since he had ventured to propose in the House a Resolution to the effect that there was no great emergency in existence to warrant the calling out of the Reserves. And how was he met? Why, by the whole of the hon. and right hon. Gentlemen opposite, to the number of nearly half the House of Commons, voting that there was a great emergency. The Chancellor of the Exchequer had just now said, in answer to the right hon. Member for Bradford (Mr. W. E. Forster), that the gravity of the situation had not increased. He was very glad to hear it, but he had not said it had decreased; and, therefore, he was at a loss to know what circumstances there were to make them say there was no great emergency now, if there were a great emergency then. And what was this great emergency? As he understood it, it was this—that all their boasted diplomacy had failed, that all their diplomatists, who were supported at such great public expense, had not been able to arrange the terms on which the proposed Congress should be held. This was a most distressing state of things, and not the time when Parliament should be sent about its business for three weeks. What had the Government themselves done? They had called them together, in a most unprecedented manner, three weeks earlier than usual, for the purpose of consulting them from day to day. If the Government thought it safer and better to have them to consult with then, surely it was much more important now. The state of affairs was more critical than it was three months ago. Everyone knew, too, that they lived in a state of scare, and no one could tell what the newspapers would publish and send down to hon. Members in the country. The Government themselves had done not a little to contribute to the general feeling of alarm. First, they had their Vote of Credit, which, let them say as they liked, was a warlike measure—no one, at all events, could persuade him that a Vote for war stores was not a warlike vote. Then they had called out the Reserves, which was a still more decidedly warlike step. They got the money first, and then they got the men. He thought some consideration should be shown to the Opposition. The Government stood in a different position from what it did when Parliament met. At that time, Lord Carnarvon and Lord Derby were in the Government, and they commanded the confidence of the Opposition more than any of the other Members of the Government. He would not say they were the most able men, but they were more trusted by the Opposition than any of the others. Lord Derby, moreover, had himself said, since he left the Government, that he considered their policy a policy of rushing into war. Besides, there was something more which he would not avow, but which he thought still more clearly indicated an intention of going to war. All these facts ought to make them pause before they adjourned in this hasty manner. He did not see the Leader of the Opposition in his place. The noble Marquess did not like the Amendment which he (Sir Wilfrid Lawson) had brought forward lately, but he said that he might have supported it if that had been the last occasion they would have of discussing the policy of the Government. This was the last time they would have, at all events, for three weeks; and he did wish that some right hon. Gentleman would get up and say what the Opposition Leaders thought of this adjournment in the present critical state of affairs. What security had hon. Members, if they broke up to-day, that they might not some morning take up their papers and find a Declaration of War? The Berlin correspondent of one of the most influential papers, he observed, said that the question of peace or war was only a matter of a few hours. He hoped hon. Gentlemen would understand what he meant. He himself did not believe now, any more than when he moved his Amendment, that this great emergency existed. He believed, however, that it could be very easily created; and he, for one, was not prepared to trust the Government, after what he had seen them doing in the course of the last few months. How had the difficulties been caused with which they were now contending? Simply by the obstinate stupidity of resisting all means of accommodation in this matter. What could be more humiliating, more disgusting, than the telegrams they read every day in their clubs or other places of resort? They saw that Germany or Austria had made propositions which were likely to be generally accepted, and then they read at the end—"Sir Henry Elliot alone opposes on behalf of England." If the hon. Member for Meath would excuse him for saying so, England was nothing more than the Parnell of Europe. He did not want the Government to get up and say what they were proposing to fight for, because he knew that it was perfectly impossible for them to do so, and that if they tried they would only get sounding platitudes full of wind and fury, and signifying nothing. He did not want to put them to the trouble of giving them more of that stuff which they had listened to so often, and with so much disgust. One hon. Member—the Representative, he thought, of one of the Metropolitan counties—said the other night, that their object was to drive the Russians back to the Arctic circle. Well, that was, after all, about as rational a reason as he had heard for going to war. He did not ask the Government, as he had said, to tell them what their object was, but he begged them to let the House have a clear and distinct understanding that they would not take any decisive or irrevocable step which would lead the country into war. If he did not get that assurance, he would oppose the Motion for Adjournment, though only one man went into the Lobby with him.

Mr. COURTNEY said, he thought no one could view the present situation without being oppressed by feelings of anxiety and almost of alarm. He was glad to hear from the Chancellor of the Exchequer that there was no increased cause for anxiety; but the anxiety that already prevailed was of itself grave enough. What was the situation? They were told by Lord Derby that this country was not so much drifting into war as that it was rushing into war, that war was almost irrevocable, and that he had retired from the Government because of some unrevealed step even more dangerous than anything that had yet been determined upon by Her Majesty's Ministers. He (Mr. Courtney) thought that hon. Members must ask whether, under such circumstances, they could separate at all? It was true that they were weak, and could do no more than remonstrate with, or advise, the Government; but, at least, whilst they were there, they could raise their voices on behalf of the counsels of peace, and, few as they were, could represent the opinions of a large number of Her Majesty's subjects out-of-doors. No one could suppose that the division last week was at all an accurate representation of the feeling out-of-doors. The Chancellor of the Exchequer must admit that a considerable minority, at all events, viewed Her Majesty's Government with suspicion, and looked forward with something of alarm to what they were likely to do. Members of the Government were so engrossed from day to day with the details of Office, that he sometimes wondered how they could find time to meditate on the results of their action, or to estimate at their true value the circumstances of the position in which they were placed. They had but little time for that, and were tempted to exaggerate the events of the day, and forget what were their true relations to what had gone before and what was coming afterwards. When, sometimes, he thought of the present situation, he had been astonished by the littleness, the pettiness, the vanity of the particular dispute which threatened to involve Europe in war. We had arrived at such a point, that our only hope of peace lay in a Conference of the Great Powers of Europe on the situation in the East. If the Conference assembled, peace might be hoped for as the result of their labours; but, if the Conference failed, there was only one alternative—if not immediate war, some act of armed and hostile occupation which would be regarded as a menace or defiance, or, at least, a provocation to war. What, then, was the difficulty that was keeping England and Russia apart? The Chancellor of the Exchequer said that the Government were most desirous to go to a Conference, provided it was free and unrestrained. Other Members of the Government said they were standing out against the Conference, because they were insisting on a stipulation which Russia would not grant. He fully admitted the proposition of the Chancellor of the Exchequer, that they were entitled to have a free and full discussion of the Treaty of San Stefano, and of the settlement of the Eastern Question; but he denied that we had a right to say to Russia that she could not reserve to herself the right to decline to discuss certain questions. But let them realize what was meant by that proposition. Let them suppose that the Conference had assembled, and was discussing, Article by Article, the Treaty of San Stefano. When it came, for example, to the subject of the independence of Servia and the rectification of her frontier, some question might arise as to the propriety of that independence or of that rectification of frontier. That discussion might go on most freely; but would the Chancellor of the Exchequer not admit that it was the right of every Member of the Conference to say at the end, or at any stage of the discussion—"We cannot consent to this limitation being altered, or we must insist on that limitation being altered?" The freedom of discussion was not restricted by the statement of any Power, whether it was Russia, England, Austria, or Germany, that there was a point at which discussion ceased—a point at which the Powers separated themselves, or carried their protest to the length of ultimate withdrawal. That was a course within the liberty of our own Government, or of any other Power going into the Conference. It might be said that we could not discuss the question of the independence of Servia or the rectification of her borders, because the position of that country was recognized by the Treaty of Paris, and that the Treaty, until altered, was still binding. No doubt, the principles of that Treaty might be used argumentatively at the Conference; but Her Majesty's Government had, by their own acts, admitted that the obligations of that Treaty had ceased. Lord Derby's despatch of the 6th of May last, which had been called "the charter of our policy," stated, that as long as three points were respected, Russia might do what she liked with Turkey. By that declaration, all the other obligations of the Treaty were set aside. In claiming to rely on the stipulations of the Treaty of Paris, we were making a claim which no other Power had advanced. He entreated the Chancellor of the Exchequer to consider whether the Government were justified in the action they had taken by the pleas they had put forward. The language of the right hon. Gentleman the Chancellor of the Exchequer was perfectly unexceptionable, but it did not cover the position the Government had taken in the face of Russia. It was stated yesterday, on authority which he believed to be accurate, that Prince Bismarck despaired of a peaceful solution of this question if the attitude of England were not altered. That, he feared, was true; and the Members of the Opposition would abandon their duty, if they did not on the eve of the Recess, call on the Government not to make themselves any longer the obstacle to the peaceful re-settlement of the affairs of South-Eastern Europe.

Mr. MONK said, he could not but regard so long an adjournment of the House with mingled feelings of misgiving and of satisfaction—misgiving, because it was patent that the state of affairs was critical; and satisfaction, because he entertained a hope that the Government would not do what would be almost a crime—certainly, a crime in the eyes of the Opposition—namely, engage in a war with Russia when Parliament was not sitting. He thought the hon. Member for Carlisle (Sir Wilfrid Lawson) was justified in asking the Government to give a pledge that they would not engage in war during the Recess. ["Oh, oh!"] He scarcely thought some hon. Members were aware of the feeling on this subject which existed outside the House. The country inspired by that instinct, which was often found wanting in a Governing Body, was daily and hourly raising its voice, and petitioning Parliament against war; while the people were sending Memorials to Her Majesty, praying that she would not allow England to be drawn into hostilities. Doubts and alarms were spreading through the country, while commercial interests were becoming entirely paralyzed. Why would not the right hon. Gentleman tell them, that in the present perilous juncture, the Government was doing all in its power to smooth the way for the Conference, and to induce Russia to join it? The late Secretary of State for Foreign Affairs said he cared little about our going into a Conference, but he hoped that was not the opinion of the Government. Why should Russia, after a long and bloody war, after her glorious victories over Turkey, and after enforcing to the best of her ability the decrees of the Conference of Constantinople, not be allowed a potent voice in settling the Eastern Question? Russia had never insisted on enforcing the Treaty of San Stefano, until every clause of it had been considered in Congress. She had never denied the right of any other European Power to consider every clause of the Treaty, and the difficulty about going into a Congress for that purpose had been raised by Her Majesty's Government. Russia did not dispute the right of Europe to discuss the Treaty. The statement to that effect, of Sir Henry Elliott, had been very energetically denied by Prince Gortchakoff. Russia did not dispute the right of Europe to set the Treaty aside. Russia had said from the first, that Europe assembled in Conference must settle the Eastern Question, and until the Great Powers met in peaceful Conference for discussion, there could be no solution of existing difficulties. Did hon. Members suppose that Russia would submit to the dictation of England? If she refused to do so—and she seemed inclined to refuse—what must be the result? If Her Majesty's Government persisted in refusing to enter the Congress and to discuss the Treaty there, there might be a long and a bloody war; and if England came out of it conqueror, as she probably would, the very same question as to a Conference would again arise.

Lord ROBERT MONTAGU said, that the argument of the hon. Member for Carlisle (Sir Wilfrid Lawson) was that, as this was a time of emergency, the House should not adjourn for any Holiday. He must remind the House that, at the beginning of the Session, the Government announced that an emergency existed. What was the result? Parliament had unanimously declared its intention to support them in meeting that emergency, and in providing against unforeseen dangers. Subsequently, on January 24, the emergency had increased, and the Government proposed a Vote of £6,000,000. That Vote was carried by an enormous majority. This fact showed how completely the House endorsed the policy of the Ministers, and proved that the nation was anxious to provide against all possible dangers. Still the emergency increased, and the Government majority increased. Then Parliament considered the question of calling out the Reserves, and that measure was sanctioned by an enormous majority.

The hon. Baronet the Member for Carlisle succeeded in leading into the Opposition Lobby only 65 Members. And what did the hon. Baronet now wish to do? What did he say? He first denied that an emergency existed, and then he said that Parliament should not separate for a few weeks because there was an emergency. Did he understand the hon. Baronet to mean that he desired again to test the feeling of the House of Commons, and to see the policy of the Government supported by a still larger majority? No; it was absurd to suppose that he sought to parade an increased majority for the Government, while he himself led a dwindled minority into the Lobby. Let the House, then, consider further what he was driving at. The hon. Baronet asked what security was there that we should not get up some morning and find in the papers a Declaration of War? But if we did not separate for the Holidays, what security was there that the same thing might not occur? The country had exactly the same security against war being declared during the Easter Recess as while Parliament was sitting. It was the Prerogative of the Sovereign to declare war and to make peace; and it was not the prerogative of the Representatives of the people to do so. It was true, that if Parliament should be in Session, it might be announced orally in the House that Her Majesty had declared war; but what was the difference between an announcement in that House and an announcement in the newspapers? Ah! He knew what the hon. Baronet meant. He meant that if the Government did advise Her Majesty to declare war, then if Parliament should be sitting, he and his small minority should be able to hamper the Government in such a grave emergency. That he could understand. And for this emergency what, according to the hon. Baronet, were we to have ready? A House of Commons that could spend its hours as it had done last Friday—a House of Commons that could sit up all night until half-past 6 in the morning discussing an Irish Sunday Closing Bill—that was the House of Commons that was to deal with this emergency. If the hon. Baronet desired a House of Commons to assist the Government, it must be a different House from any that had lately been seen. He preferred to see the Government unhampered by the present House of Commons, although they should be held strictly responsible for any step they might advise. He put a great deal of trust in the House of Commons in the time of Lord Palmerston. He put less trust in the House of Commons in succeeding times. He had lost most of his former faith in Parliament; and he asked hon. Members whether they could put that trust in the House of Commons now, which they did in former days? Did they respect it now as much as it used to be respected? Far be it from him to say a word against the House of Commons. All he said was, that if a House of Commons were to sit continuously, or *èn permanence,* to assist Her Majesty's Government, it must be a different House from that which we had at present; and, in a case of emergency, he would rather leave Her Majesty's Government to deal with it unhampered by such a House as this, holding them responsible afterwards to the country for their actions. The hon. Baronet called on the Government to give a pledge to the House that the Crown would not declare war before we re-assembled on the 6th of May. A more monstrous proposition was never put forward than that which was invented by the hon. Baronet the Member for Carlisle, and repeated by the hon. Member for Gloucester (Mr. Monk)—the Government to give a pledge that, before the House re-assembled on the 6th of May, the Crown would not declare war! They knew what had happened this year by giving pledges. An ill-advised word by Her Majesty's Government was construed into a pledge that they would not ask for the Vote of Credit, and would do nothing unless Russia took certain steps; and they found themselves as much hampered in consequence, as the Russians felt themselves free in every other direction. And now they were asked to give another pledge! What, with Russia within 15 miles of the lines of Boulair, with Russia overstepping the neutral zone created by her own Treaty, with Russia surrounding Constantinople and in possession of all the heights that commanded that town and the Bosphorus; and ordering the Sultan, as if he were a slave and a vassal, to stop the construction of the fortifications necessary for the defence of his capital! And the Government were asked to give a pledge not to go to war! The Sultan had received these orders from his conqueror and master, after—yes, after the conclusion of peace! And why? Because the Russians evidently intended to make a sudden spring on Constantinople, and desired that nothing should stand in their way. Was the Government to give the Russians perfect freedom to fulfil their intentions, by a pledge that, whatever they might do, war should not be declared until after the 6th of May? Was Russia to get a *carte blanche* and perfect freedom to carry out her nefarious designs, by means of a pledge that, whatever Russia might do, war was not to be declared until the House of Commons met again. He trusted England would never have a Government so fatuous as to give a pledge such as that. Then, the hon. Member for Liskeard (Mr. Courtney) had said that this was only "a petty dispute." That he could not admit for a moment. It was not, as he had said, "a dispute about words and forms." It was a dispute most momentous, on a matter most material. It was no less a question than this—Whether Russia should be allowed to succeed in an attempt to impose her mere will on the whole of Europe; thrusting aside Treaties, International Law, obligations, and the rights of Europe. The Treaty of San Stefano contained the will of the Czar, as imposed upon Turkey; and if Europe was not to be permitted to consider and modify it, then that will of the Czar was to be imposed also on the whole of Europe; and Treaties were, by the Czar's fiat, to be set aside, because they were concluded by the agreement of Europe, and not decreed by the will of the Czar! That was the point on which Her Majesty's Government had made their stand. The Prime Minister had stated that it was in defence of European liberty that the Government had taken up their present position. He said the truth. "Oh! but the Government," said the hon. Member for Liskeard, "had admitted that the obligations of the Treaty of Paris had ceased, by writing the despatch of May the 6th, 1877." He (Lord Robert Montagu) had always regretted that despatch; it was the relinquishment of firm ground, to take their stand on a bog. They should have adhered to their despatch of May 1. Let the House remember, however, that it was Lord Derby who had contradicted the ancient policy of England, and the policy announced by the Prime Minister, when he penned that despatch of May 6. But Lord Derby could not bind the Sovereign, nor the people of England. Those, certainly, who had denounced it, could not be bound by it. The hon. Member might, however, perhaps remind him that Russia had sent the text of the Treaty to each Power, and had consented to discuss it with each Cabinet separately. Such conduct was very like the process of lobbying. Everyone knew what was meant by lobbying. Lobbying was often attempted in that House, and with success. One Member's vote was gained by putting a measure in one light; the support of another was acquired by hinting that his interest would be consulted. Concessions were promised and votes obtained, here and there. He had known an hon. and learned Member who was offered a silk gown to vote against a Reform Bill. [Mr. JOHN BRIGHT: And he got it, too.] Yes; he got it; and the right hon. Gentleman the Member for Birmingham reminds me that he got it after having spoken in favour of the Reform Bill. That hon. and learned Gentleman was no longer a Member of that House. In the same way, and by such a process of lobbying, by offers of concessions, by suggestions of impunity in evil-doing, by promises of advantages and strips of territory to one nation after another, Russia would manage all the Powers of Europe. As the mistress of Europe, she would gladly endeavour to allay suspicions and to conciliate enemies, provided only she might have her own way; provided she might escape being judged by Europe; and provided that her imperious will was not to be submitted to European opinion—was not to be thwarted; but only modified of her own proper motion—for she desired to be universal master. That was precisely the point at which the Government had taken their stand, as the Prime Minister had said, "in defence of the liberties of Europe." What had been the effect of this determination? A transformation scene had been performed in Turkey; and the various races, instead of looking to Russia, were turning to England. Since the fortunate retreat, or rather the escapade and happy despatch of Lord Derby, the Press of the whole of Europe, including the organ of M. Gambetta and the Radicals, had entirely changed its tone, and were singing in unison the prasies of the English Government. Why? Because England had set herself up against the Power which desired to be the arbiter of Europe. Now, the nations and Governments of Europe had become our supporters, because we were again upholding Treaties, asserting the supremacy of law, and defending the rights and liberties of Europe. [Mr. JOHN BRIGHT: Why do not they come forward and fight?] He was glad to hear the Apostle of Peace say—"Why do they not come forward and fight for it?" and he said to the right hon. Gentleman the Member for Birmingham——

MR. SPEAKER: The noble Lord should address himself to the Chair.

LORD ROBERT MONTAGU said, he did so; but he had heard the right hon. Gentleman use the remark he had repeated, and he said to him, in reply, those Governments would come to our support as soon as we saw it right to begin. So the question was—"Why do we not come forward and fight for it?" It had, this evening, been said that we were isolated. We were not isolated, and why? Because it was known that we were upholders of law, protectors of right, and defenders of Treaties, and that we stood up for the liberties of Europe. Aye; it was not the European Powers only that were with us; but, as they might see by the leading journal of that day, the various races of not only European, but Asiatic Turkey, who not long ago maligned us, were now looking to us for protection. A short time ago the Osmanlis cursed us, the Greeks hated us, the Armenians mistrusted us, the Bulgarians placed their hopes in Russia. They were all now clinging to our skirts for protection. The hon. Member for Liskeard said that the obligations of the Treaty of Paris had ceased; but he altogether denied that proposition, and insisted that the obligations of that Treaty were still binding, and that the Government were entitled to take their stand upon it as part of the Public Law of Europe. He should not have occupied the attention and time of the House on that occasion, had he not been filled with indignation, too strong for repression, against the speeches and proposals of the hon. Members who had preceded him.

MR. OSBORNE MORGAN said, he was as much a lover of peace as any hon. Member in the House; but he could not think that Her Majesty's Government would consent to bind themselves over to keep the peace during the Holidays. No doubt, an adjournment for three weeks was longer than usual; but, on the other hand, the House met three weeks before the usual time, and had now been sitting for three months; and, considering the Business they had done, he should say, judging by his own feelings, that if, instead of adjourning to that day three weeks, they were to adjourn for three, or even for six months, he did not think the country would be a loser. He supported the Motion of the Chancellor of the Exchequer in the interests of peace, because he could not think that such debates as those which they had of late had were conducive to a peaceful solution of the existing difficulty. For his part, he could not believe that any Government would take upon themselves the tremendous responsibility of rushing into war at a time when Parliament was not sitting; and without taking counsel on a subject of such enormous importance with the great Council of the nation.

MR. M'CARTHY DOWNING thought the great majority of the House had reason to complain of the time which had been wasted upon a Motion of adjournment when they had but a few hours to discuss important business. Particularly had they reason to complain of the hon. Baronet the Member for Carlisle, who raised the debate; and of the hon. Member for Liskeard, who had so very recently spent so much time in discussing the questions they had again brought forward. He hoped the discussion would not be continued, and that the Government would not attempt to enter into those questions. He trusted that the Chancellor of the Exchequer would exercise the discretion which he usually did in replying to the hon. Gentlemen who had questioned him.

MR. FAWCETT said, in the few words he intended to address to the House, he should confine himself to the question whether the present was a time when, consistently with its duty, the House of Commons could adjourn for the long period of three weeks. He should be the last to do the Chancellor of the Exchequer—or, indeed, the Members of any Government—the injustice of attributing to them such an ignoble motive as had been suggested by the noble Lord the Member for Westmeath (Lord Robert Montagu). The noble Lord seemed to suppose that the Chancellor of the Exchequer and the Government he represented were anxious to have a long Easter Recess, because if they wished to go to war, they would be unhampered by the House of Commons——

Lord ROBERT MONTAGU: I never said or suggested anything of the kind.

Mr. FAWCETT said, he was glad to hear the disclaimer of the noble Lord; but there was not an hon. Member who sat near him (Mr. Fawcett) who did not put that interpretation on his argument. They all knew that the Chancellor of the Exchequer did not want to be free from the counsel and advice of the Parliament he led; but they had a right to ask from him a specific answer on a certain point. On the 17th of January, Parliament was called together; and the emergency then was certainly not greater than it was now, because, when they were called together, the Government had nothing to propose. They were called together because, in the critical state of foreign affairs, Her Majesty wished to have the advice and assistance of her Parliament. Surely, it was not appropriate now that she should be deprived of the advice of her Parliament, when foreign affairs were even in a more critical state. They were all equally anxious to enjoy a holiday; but, in grave circumstances, their personal convenience and enjoyment was a matter of secondary importance. He wished to ask the Chancellor of the Exchequer, why it was appropriate that, at this critical juncture of European affairs, the Government and Her Majesty should be without the advice, and countenance, and guidance of Parliament for an unusually long period? He did not see what answer there could be to that question, unless the Chancellor of the Exchequer was prepared to rise in his place, and say that, on consideration, the state of affairs at the present moment was less anxious and critical than when Parliament was called together. No one would accept that announcement with greater gratitude than he. He was not going to say a word in the spirit of exaggeration; but the Chancellor of the Exchequer himself had admitted that it was a time of great anxiety. He said the chances of peace were not now less than they were a week ago. They accepted that declaration with satisfaction; but, a week ago, the Chancellor of the Exchequer said the position was one of emergency, and the time one of great anxiety. If that were the case, what was the justification for Parliament adjourning now for three weeks. An adjournment for so long a period as three weeks would cause considerable surprise; and, as he did not wish to be responsible for anything that might occur when Parliament was not sitting, he should move, as an Amendment, that the House, at its rising, do adjourn until April 29.

Mr. E. JENKINS seconded the Amendment.

Amendment proposed, to leave out the words "6th day of May next," in order to add the words "29th day of this instant April,"—(*Mr. Fawcett,*)—instead thereof.

Question proposed, "That the words '6th of May next' stand part of the Question."

The CHANCELLOR of the EXCHEQUER: Sir, I should be very sorry to interpose between any Member who may wish to address the House on this occasion; but I really hope I may be allowed to say a few words, because I think what has passed tends rather to promote misunderstanding, and may have a tendency to promote the very danger which hon. Gentlemen are most anxious to avert. What are the facts of the case? This year, as everybody knows, Parliament met at least a fortnight before its usual time. It met on the 17th of January, and most commonly it does not meet till the 5th or a later day of February. We have a peculiarly late Easter, and therefore we have sat for an unusually long period without any Recess. Under these circumstances, it is not unnatural, in an ordinary Session, that we should ask for the addition of a few days to the Easter Recess; and several weeks ago, Questions were put to me upon this very question of the Easter Recess, in reply to which I stated, on the part of the Government, the arrangement which we intended to propose, and which I proposed to-day. That arrangement was accepted with general approval, was thoroughly well-known in the country, and everyone knew the arrangement was that Parliament should rise to-day and adjourn, so far as the House of Commons was concerned, for somewhat more than a fortnight. If, under those circumstances, and with that understanding, we were to alter the arrangement that has been so long announced, and to alter it on the grounds that the state of foreign affairs is such that it was not safe and right that Parliament should be adjourned for so long a time, what would be the inference? The inference would be one which, in the first place, I venture to say, would be entirely false—namely, an inference that we believed there was something in the state of foreign affairs which rendered it inexpedient and dangerous that Parliament should rise for these few days longer; and, in the second place, it would be also dangerous, because it would naturally give rise to discussions and observations which are just of a character, and would have a tendency, to render difficult delicate negotiations and proceedings. The hon. Member for Hackney (Mr. Fawcett) asks—"How is it you can justify the unusually early meeting of Parliament under the circumstances under which Parliament had met, if you can now justify the comparatively long holiday which you propose we should take?" And he says the Government allege that their reason for advising Her Majesty to call Parliament together early was that Her Majesty might have the advantage of the advice of her Parliament, and that that advice is as much needed now as it was then. Her Majesty's Government have, undoubtedly, taken several opportuuities during the time that has passed of advising Her Majesty to recur to the advice of her Parliament, and to explain in the clearest manner to Parliament Her Majesty's policy, and obtain from Parliament, in the most distinct form, repeated over and over again, their approval and assent to the general lines of that policy. At this moment there is nothing in our policy at all different from that which we have repeatedly declared to this House. There is no change in the views which we expressed in the debate which occurred only a week ago; and we are as anxious now as we were then to bring about a settlement of the affairs of Europe in the way which we believe to be the desire of the whole country. We desire to see a satisfactory settlement of the affairs of Europe, which have been disturbed by recent events, on a basis that will give us security for a real and a lasting peace. We see no reason for despairing of the settlement. Nothing in the situation has altered for the worse since the time we last had to communicate with Parliament on the subject, and we say with the most perfect confidence that we see no reason whatever to apprehend any inconvenience from the rising of Parliament for the time we have mentioned. Under these circumstances, I would put it to hon. Members whether they will not, by the course they propose, be occasioning the very danger they desire to avert—of propagating an alarmist opinion that there is some special reason to apprehend consequences of a somewhat grave character during the Recess. I can assure the House we make this proposal with no concealed designs, or any intentions of a mischievous character; but we do that which we have declared, weeks and weeks ago, we proposed to do, which is in itself reasonable, and which we have no reason to believe we ought to depart from.

Mr. W. E. FORSTER: Sir, I hope the House will soon be able to come to a conclusion on the Motion of the Chancellor of the Exchequer; but, before doing so, I wish to say a few words. I am not surprised at the remarks of my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson), or at the Motion of my hon. Friend the Member for Hackney (Mr. Fawcett). They are not unnatural remarks, nor is the Motion one at which we should feel surprised in the present state of affairs. But it is quite true, as the Chancellor of the Exchequer states, that this adjournment for a considerably longer period than usual has been a settled matter on both sides of the House for some time past; and it would, I think, excite great surprise in Europe, and would probably give rise to very considerable misconception, if the House were suddenly to come to a conclusion that it did not think it right to adjourn to the time originally proposed. I should, however, be quite prepared to run the risk of such misconception, if I thought the interests of peace would be advanced by a shorter adjournment. I see no reason to expect any such result. I think the few remarks we have heard to-day do not tend to remove that impression. I cannot sit down without saying that, if it be possible for the Government to have incurred greater responsibility than they have already incurred, they have done it by this Motion. I cannot imagine that, in the present position of affairs, they do not feel that responsibility most deeply and anxiously; but, undoubtedly, in asking the House of Commons now to adjourn for three weeks, they are taking the whole responsibility upon themselves. I do not know that in the interests of peace we can do better, or do other, than leave upon them that responsibility. I must be allowed to say a word on the war-cry, or war-shriek, of my noble Friend behind me (Lord Robert Montagu). It did not meet with much response, I must admit, from the other side of the House; but if we supposed the Government were really advocating a war policy, our action would be very different from what it is, and we would not consent to an adjournment. The hon. Baronet the Member for Carlisle has asked the Government for a distinct pledge that no step leading to war would be taken during the Recess. I do not know that such a pledge could be formally asked or formally responded to by the Ministry. It is true that peace and war are the Prerogatives of the Sovereign, and we could not ask the Government to pledge themselves as to the actual course they will take; but I cannot suppose, considering the proposal to adjourn for three weeks, and also the satisfactory statement which the Chancellor of the Exchequer made in the early part of to-day's sitting, that the Government can for a moment contemplate anything like a war policy during the Recess. This is not the time to debate the grounds of such a policy. I do not think I shall be contradicted on either side of the House when I say that the country would be exceedingly surprised to find itself committed to a war policy. As yet there is no ground, no pretence, for war; and, for myself, I cannot for a moment suppose that the Government would think either of rushing into war or of allowing the country to drift into war, no matter whether Parliament be sitting or not. I believe that the feeling with which any such extraordinary announcement would be received would be not only one of regret and of indignation, but of surprise. I trust, therefore, that the hon. Member for Hackney will not press his Motion to a division. Should he do so, I believe—and it seems to be the settled opinion of both sides of the House—that the course will excite a great deal of misconstruction; and, for the reasons I have mentioned, I should feel myself compelled to vote with the Government.

Mr. J. G. HUBBARD remarked, that if the House was in favour of peace, he could not help thinking that its proceedings during the last hour and a-half had been eminently unwise and ungenerous to Her Majesty's Government. The Government had reason to complain, after the frank declarations of the Chancellor of the Exchequer, that hon. Members should press for still further assurances. That Her Majesty's Government did not desire to act without the concurrence and the confidence of the country had been shown in a remarkable way—namely, by their having anticipated by several weeks the usual period of assembling Parliament, and there was no doubt that they would exercise the same consideration for the feelings of the House, if, unhappily, the occasion should arise to require from them a different policy from that which they had announced. Wars were not made merely by State papers, by despatches such as those of Prince Gortchakoff and the Marquess of Salisbury, but by popular feeling, excited by questions and speeches such as we had had over and over again in that House. These speeches were reported and translated; they became the study of the Russian as well as of the English people; and it was by popular feeling excited on both sides that war was ultimately brought about. He trusted that the House would express its cordial confidence in the Government by assenting to the proposition which they had made.

Mr. E. JENKINS wished to explain the reasons which had governed himself and those who acted with him—[*Laughter*]—in going to a division on this question. He did not know what he had said to call forth the laughter of hon. Members. He ought to have said "with whom he acted." He wished simply to explain the reasons why he and others felt it was necessary that, at all events, a formal protest should be entered against the proposition of the Government. It was not because the words of the Chancellor of the Exchequer had not been satisfactory even to those who took rather an extreme view in regard to the policy of Her Majesty's Government. For his own part, he felt bound to say that he had listened with some pleasure and some hope to the declarations that had fallen from the Ministerial bench. The assurances of the Chancellor of the Exchequer, that he trusted that things were in no worse position than they were a week ago, and that he thought there were prospects that Her Majesty's Government would be able to avoid getting into difficulties with Russia, would be received with satisfaction in the country; and it would be felt that if they had succeeded in drawing these emphatic declarations from the Ministerial bench, the object of this debate had not been lost. But, with regard to the immediate action which was proposed to be taken, he would only point out this—that, while they might have the utmost confidence that Her Majesty's Government were desirous of pursuing a policy of peace, and that they were doing all they could to bring about a pacific settlement of difficulties, they still felt that in such a crisis as the present, Her Majesty's Government might at least have reduced the time during which Parliament would not be sitting. Notwithstanding what had fallen from the front bench, it was a period of the deepest and gravest anxiety, and whatever might be the abstract Constitutional method of procedure, it must be felt that it was a most dangerous thing, in the present condition of affairs, that any Government should seek to free itself from the responsibility of coming down to the House from day to day to inform the country of the course of proceedings. He noticed that the hon. and gallant Member for Stirlingshire (Sir William Edmonstone) appeared to be ill. He saw that he was fanning himself. ["Order!"] He had a right to protest against conduct on the part of an hon. Member which appeared to him to be derogatory to the dignity of that House. In conclusion, he begged to enter his protest against this long Vacation, and that was the sole issue raised by the Amendment.

Mr. FORSYTH said, he had a suggestion to make, with a view to preventing a division, and conciliating hon. Members opposite. In France, when the Chambers were about to separate, a Committee was appointed to take care of the public interests, and he would propose that a Committee, consisting of the hon. Members for Carlisle, Hackney, Liskeard, Dundee, and Gloucester, should be appointed to watch over the affairs of the Empire during the Easter Recess. The House might then enjoy its Holiday in tranquillity, the country would feel satisfied that the Eastern Question was in safe hands, and Her Majesty's Government would be relieved of much anxiety.

Mr. M'LAREN said, he wanted just to say a single word. His hon. Friend the Member for Liskeard (Mr. Courtney), in the course of his observations, said that he did not claim that a majority of the people were opposed to the warlike feeling which was prevalent. He had no doubt that his hon. Friend had referred to England, because he (Mr. M'Laren) begged to say, from all the information which he had been able to obtain, that an enormous majority of the people of Scotland were opposed to war. He would just mention one fact in corroboration of that opinion. He had the honour a few days ago of presenting a Petition from the Edinburgh Chamber of Commerce, which was a body having a fair proportion of men of all parties in it. The subject was discussed at very considerable length, and it was proposed that there should be a strong expression of opinion to the House of Commons against everything leading to war. Thereupon the shabby expedient of the Previous Question was moved; but only four voted for the latter, while 44 voted in favour of a strong protest being made against war. He gave that as the opinion of a representative class of men, and he was satisfied that similar opinions almost generally prevailed in Scotland. He would mention just one other fact. On the occasion of the presentation of the freedom of the city the other day to a distinguished statesman, whom they all admired, he alluded to the possibility of war in language which nobody could misunderstand, and the approbation with which the sentiments he expressed were received was louder than that which greeted anything else that had been said by the noble Lord.

MR. GOLDSMID said, he should not vote with the Government if he did not think that their proposal was really in favour of peace. It appeared to him that the Government would not have adhered to their decision to advise the House to adjourn for three weeks if they did not think there was a reasonable probability of an amicable settlement of the difficulty. If after that they had proposed to adjourn—say, for only 10 days—hon. Members would immediately have said—"You are intending to go to war, and so are obliged to keep Parliament together." Nor were the circumstances the same as when Parliament had first assembled, for assuredly the hon. Member for Dundee and the hon. Member for Carlisle had given plenty of advice to the Government, and to spare. Under the circumstances, the best promise that we should have peace was the fact that the Government had proposed that the House should adjourn for three weeks; and, for that reason, he would vote with the Government.

LORD ROBERT MONTAGU wished to make an explanation. The right hon. Member for Bradford (Mr. W. E. Forster) had sought to saddle him with what he called "a cry, or rather shriek, for war." Nothing had been further from his mind. It was the right hon. Gentleman the Member for Birmingham (Mr. John Bright) who raised that cry and uttered that shriek. What he (Lord Robert Montagu) had said was that the policy of Her Majesty's Government, which, in the first instance, was said to have alienated from us all the Powers of Europe, had now drawn them together in our support on the ground that we were defending the rights and freedom of Europe. The right hon. Gentleman the Member for Birmingham then interjected the Question—"Why do not they fight, then?" And he (Lord Robert Montagu) replied, that he was surprised to hear that desire expressed by the great Apostle of Peace, and assured him that those Governments were only waiting for us to begin, and would then be glad to fight by our side.

MR. HOPWOOD wished to give expression to a feeling which he was sure was largely shared in out-of-doors—that there was an apprehension weighing on the breast of every moderate man who desired the permanent welfare of this country, and that trade was paralyzed as long as the horrible spectre of war was seen—at least, by their imaginations—and felt, owing to the comments of public speakers and responsible advisers, to be a near possibility. He thought that the Government would dwell upon that part of the picture, when they came to consider the propriety of letting the great issue of war or peace turn upon the mere wordy complications submitted by two contending parties in a dialectic struggle. He thought that the view that what Russia had demanded was in the interest of Europe had not been sufficiently borne in mind by many of those who talked of the extravagance of her claims. It would be the fault of the Government, if they did not come to a determination whereby those demands could be shaped for the permanent benefit of the populations on whose behalf Russia had spent so much treasure and shed so much blood.

MR. FAWCETT wished, with the indulgence of the House, to state the course which he desired to take. After giving the matter careful consideration, and after listening to the speech of the Chancellor of the Exchequer, which he was bound to say he regarded as most satisfactory — indeed, nothing could be more satisfactory than the right hon. Gentleman's strong declaration that it was the intention of the Government to do all in their power to preserve peace —he felt that he would best serve the interests which they all had at heart— the interests of peace—if he did not press his Amendment. He, therefore, begged leave to withdraw it.

Question put.

The House *divided;* Ayes 168; Noes 10: Majority 158.—(Div. List, No. 108.)

Main Question put.

MR. PARNELL said, he wished to call attention, before the Motion was agreed to, to the very great neglect of Irish Business which had occurred in that House. He had come over from Ireland, at the commencement of the Session, hoping that the Government would have given him something to do in considering the measures they intended to bring forward for that country; but, in that respect, he had been disappointed. He begged to suggest that, considering the great neglect of Irish Business, that the Government should lend the House of Commons to Irish Members during the three weeks of the Easter Recess, so that the Irish Members might have the opportunity, among themselves, in an Irish House of Commons sitting in London, of passing some beneficial measures of legislation for Ireland.

MR. DILLWYN was afraid the hon. Member had not consulted the Speaker before making that suggestion.

Resolved, That this House will, at the rising of the House this day, adjourn till Monday the 6th day of May next.

PARLIAMENT—PRIVILEGE—MR. O'DONNELL AND THE "GLOBE."

RESOLUTION.

MR. O'DONNELL: Sir, I rise on a question of breach of Privilege. I wish to call the attention of the House to an article which appeared in the London *Globe* of the 15th instant, entitled *Agrarianism in Ireland.* In that article, it is alleged against an hon. Member of this House—meaning myself—that I had made certain statements in this House in which I myself had not a grain of belief, and that I had suggested certain reasons, certain motives, which might have operated towards the palliation of the commission of the frightful murder of the late Lord Leitrim; whereas, to quote the words of the article, the only crimes of the murdered Earl were "that he was a landlord and a Protestant." I would be the very last, Sir, to object to fair newspaper criticism. I have been the object of innumerable reflections on the part of the newspaper Press; but there are, I submit, some limits to criticism—and, when a Member of this House is blamed for not stating that Lord Leitrim was murdered because he was a landlord, and when it was stated that he had not a grain of belief in what he said, these are representations regarding the character of Members of this House, and the duties they owe to it, which, I think, the House ought to notice. I will read certain portions of this article to which I refer. It says—

> "The late Lord Leitrim was weighted with two disabilities, from which it seems a man is never exonerated by a portion of public opinion in Ireland. He was a landlord, and he was a Protestant. Had he been a less brave and determined man, he might have avoided his terrible end by moving tamely in that line in which alone Ribbonism permits the rights—if they can be called rights—of property to be enjoyed. Had he not been a 'heretic,' in spite of his landlordism, he would have been allowed to have been laid decently in his grave, unaccompanied by the cruel jeers and brutal jests of a ruffianly crew, who have often shown before that a Protestant's last resting-place had no sanctity for them. These were simply his two faults or crimes—landlordism and Protestantism. The facts are too clear to be contradicted with any chance of success, and we do not do Mr. O'Donnell's intelligence the injustice to suppose that he followed with one grain of belief the loathsome parable he obtruded on the House."

It is unnecessary for me to say further on the point, than that there are many beloved landlords in Ireland, and that Protestantism has never stood in the way of the character of any Irishman being appreciated. The said paper was then delivered in, and the article complained of, read.

Motion made, and Question proposed, "That the said article of 'The Globe' is a breach of the Privileges of this House."—(*Mr. O'Donnell.*)

THE CHANCELLOR OF THE EHCHEQUER: I confess, Sir, that though I listened as well and attentively as I could to the article just read by the Clerk at the Table, I was not able to follow the whole of it; but it appears to me, that it was an article upon the question of Ribbonism and upon the agrarian system in Ireland, and that it had special reference to the recent tragedy, the murder of Lord Leitrim, and that the object and tenour of the article was to attribute the murder to the system to which the writer refers. Undoubtedly, there appeared to be a sentence in the course of the article in which reference was made to the speech of the hon. Member for Dungarvan the other night, and the apparent intention of the writer was to set aside the explanation suggested by the hon. Member as being one which it would hardly be, in the opinion of the writer, consistent with the intelligence of the hon. Member to suppose he had believed to be the true explanation. I do not understand that the tenour of the article is one that can be described as a breach of the Privileges of this House, and I believe the proper course to adopt, attention having been called to this matter by the hon. Member, and the House having heard the article read, would now be—if the House takes the same view as I do—namely, that it was in the nature for the most part of an argument upon the general subject of Ribbonism, and that the sentence so introduced, and which is specially complained of, was one of a casual character—that the House had better adopt the Amendment which I am about to propose, which is—"That the House do now proceed to the Orders of the Day."

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "this House do now proceed to the Orders of the day."—(*Mr. Chancellor of the Exchequer.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. NEWDEGATE thought the House was bound to act with very great consideration towards the members of the Press with reference to what occurred upon the occasion in question; because it was the pleasure of the House, after the hon. Member for Dungarvan had made serious reflections upon the character of Lord Leitrim—whom he (Mr. Newdegate) knew and respected in that House—to order strangers to withdraw. If any explanation or proof in support of those allegations were adduced by any hon. Member, the representatives of the Press were prevented from hearing it. The House, therefore, by its own action, had prevented the newspapers receiving any explanation or proof of the painful allegations. If, therefore, any newspaper had committed an error, the House ought to condone the offence. He could not, however, see that any offence had been committed.

Sir HENRY JAMES said, he had no doubt that the right hon. Gentleman the Chancellor of the Exchequer might have been quite right in one sense in taking the conciliatory course which he had indicated; but if the Motion of the right hon. Gentleman simply to proceed with the Orders of the Day were accepted, it would be thought that he agreed to some extent with the Motion that the article complained of was a breach of Privilege, and that he wished to avoid coming to a determination upon it. It appeared to him (Sir Henry James) that the article was no breach of Privilege at all, and he desired to point out to the Chancellor of the Exchequer that the course which he had followed—however advisable from a conciliatory point of view—might be taken as conveying a *quasi*-admission that the House regarded the article as a breach of Privilege. He (Sir Henry James) had always understood that a breach of Privilege of that description consisted in a writer having libelled a Member of that House in his capacity as a Member of Parliament, and that the House did not regard criticism, unless it was libellous in relation to the House generally. This article was no libel whatever. The article contained only one reference to the hon. Gentleman the Member for Dungarvan, and there was no other portion of that article which the hon. Member for Dungarvan could regard as other than a fair expression of the political views of the writer. The writer says—

> "The facts are too clear to be contradicted with any chance of success, and we do not do Mr. O'Donnell's intelligence the injustice to suppose that he followed with one grain of belief the loathsome parable he obtruded upon the House."

He supposed the hon. Member for Dungarvan complained that the writer of the article said he had obtruded a loathsome parable on the House? [Mr. O'Donnell: No.] Well, he was glad that the hon. Gentleman did not complain of that expression in the article, because it certainly was a loathsome parable which he had brought forward; and he could not complain of that being written in a newspaper, when he remembered that, in the absence of reporters, a severe criticism was applied in his own presence to what he had said and to the course he had adopted. As the hon. Gentleman did not complain of that portion of the article as a breach of Privilege, what was it that he complained of? Was the House seriously asked to vote upon the question whether it was libellous to say that a man did not believe in a parable? How could that be a libel? Parables were not put forward as a statement of fact, but to convey an idea of something which might or might not be believed. And, yet this was what was complained of by the hon. Member, who was not very sensitive about the memory of those who had passed away in regard to the language he used, but who now raised the question whether the portion of the article referred to was or was not libellous. Why, if the question came to a place where it would be rigorously regarded what was a libel, it would be found that there was not a Judge in the land who would say that in this article there was the slightest approach to a libel. He thought if any person had cause of complaint, it would be his right hon. Friend the Member for Birmingham, who was charged with having introduced a manœuvre into legislation, and his right hon. Friend the Member for Greenwich, who was somewhat severely attacked. Of course, they would take no notice of the attack, and, without wishing to suggest an extreme course, he trusted the vote would be taken upon the main proposal.

Mr. O'SHAUGHNESSY said, no one could read the article without seeing that the sting in it was directed against his hon. Friend the Member for Dungarvan, who was represented as not believing in the allegation he made the other day by way of a parable against the late Earl of Leitrim. Now, there had been no event in his (Mr. O'Shaughnessy's) lifetime, that had happened in Ireland so grave as the murder of that noble Earl. In it was involved issues on which the entire state of Ireland depended, and on which the future of Ireland would turn. The causes which led to that crime deserved to be considered with deliberation, calmness, and gravity, and they ought to investigate without passion the remedies which should be applied—for they would have to be applied—to the evils signalized by that crime, in order to prevent the growth of the passions which had led to it. ["Question!"] He maintained that was the question, and it was entirely mixed up with the question before the House. If the question raised by the Motion, that this was a breach of Privilege, was discussed, then it would raise those grave and terrible issues, and they could not on such a Motion discuss them with the requisite calmness. Therefore, he would suggest to his hon. Friend that he should give the House an opportunity of discussing the recent lamentable event to which he had referred quietly. This would be better than to raise the issue on a Motion of that kind. He could only say—and all his Irish Colleagues would say with him—that he did not believe for a moment that any assertion the hon. Member for Dungarvan had made on Friday evening was not believed in by him. He would, therefore, appeal to his hon. Friend, having regard to the grave questions involved, and forgetting his own wounded dignity, to withdraw the Motion, and allow the House to proceed with the Orders of the Day.

Mr. M'CARTHY DOWNING thought the hon. and learned Member for Taunton (Sir Henry James) had treated the matter rather lightly. Everyone who had read the article must deeply regret that some portion of it was ever written. It stated that it only required a man to be a landlord and a Protestant to hold him up to ill-favour and dislike among the Irish people. ["Hear, hear!"] He was surprised to hear that cheer.

Lord JOHN MANNERS rose to Order. He desired to know whether it was competent to discuss the whole of the article, or only that portion of it which was alleged by the hon. Member for Dungarvan to have been a breach of Privilege?

Mr. SPEAKER: The House is engaged upon a discussion of a portion of an article in the newspaper, and it is that particular portion which is alleged to be a breach of Privilege by the hon. Member for Dungarvan. Undoubtedly the discussion ought to be confined to that question.

Mr. M'CARTHY DOWNING said, he should be sorry to infringe the Rules of the House; but the whole of the article having been read, he thought he was entitled to refer to it. There were in Ireland Protestant landlords who were as much respected and beloved as if they were Roman Catholics.

Mr. DILLWYN said, he should like to know precisely what the Order was with regard to the article, and the mode in which they should deal with it or a portion of it.

Mr. SPEAKER said, the only question before the House was the complaint of the hon. Member for Dungarvan, and any debate on the conduct of Irish landlords would be clearly out of Order.

Mr. O'DONNELL said, he complained that he was accused of making certain statements in the House without having a ground for believing in them.

That was the breach of Privilege, and it was aggravated when it was suggested that he ought to have given as the true reason for the murder of the Earl of Leitrim that he was a landlord and a Protestant.

Mr. PARNELL rose to support the Motion of his hon. Friend the Member for Dungarvan. The hon. and learned Member for Taunton (Sir Henry James) said the imputation that a Member did not believe in the statements he made was not a libel. In that opinion, he (Mr. Parnell) did not agree.

Sir HENRY JAMES rose to Order. He expressly guarded himself against saying any such thing. What he said was, that it was not a breach of Privilege to say that the hon. Member did not believe in the parable he narrated—a very different thing.

Mr. PARNELL said, that was a legal quibble, worthy of the hon. and learned Member from whom it proceeded. ["Order!"]

Mr. SPEAKER: I must inform the hon. Member that an expression of that kind is unwarrantable, and should be withdrawn.

Mr. PARNELL said, if the expression was out of Order, he would withdraw it, and suggest for it another, which he hoped would be in Order. The opinion just given by the hon. and learned Gentleman was more worthy of the ingenuity of a petty sessions' attorney than of a lawyer of the ability of the hon. and learned Gentleman. The hon. Member for Dungarvan (Mr. O'Donnell) put forward certain statements; but, because he put them in the form of a parable, they were to be treated as untrue—as if some of the most important truths of religion had not been taught in the form of parables. The article in question was not only a misrepresentation of his hon. Friend the Member for Dungarvan, but it was a libel upon, and a misrepresentation of, the Irish nation—and that was an aggravation of the offence committed against an individual Member of Parliament; and the plea put forward, that the Press was excluded from the House on the occasion of the recent debate, instead of being an extenuation, was an aggravation of the libel. He did not desire to criticize the conduct of the hon. and learned Member, or his 40 or 50 Followers, who voted for the suppression of the publication of the truth on Friday night; but, in reply to what had been said by the hon. Member for North Warwickshire, he (Mr. Parnell) pointed out that the Press published accounts of the proceedings that night. After the House had decided that strangers should withdraw, every paper in the country, with the exception of one, and that one *The Times*, published an account of the secret sitting. The argument of the hon. Member (Mr. Newdegate) was, therefore, illogical. Although he (Mr. Parnell) voted against the exclusion of the Press, he thought the decision of the House to sit in secret was not respected by the publication of partial accounts of the proceedings. He was one of those Members who was not ashamed to have his words sent abroad to the country.

Mr. SPEAKER: I have to point out to the hon. Member that he is wandering from the subject before the House.

Mr. PARNELL: I was merely going to point out, Sir, in reply to the hon. Member for North Warwickshire (Mr. Newdegate), that the construction which that hon. Member placed upon the action of the Press was not logical.

Mr. PELL: I rise, Sir, to Order. I think it is hardly treating you or the House with respect, when you have called the hon. Member to Order, for him immediately to rise again and distinctly repeat the remark which you had ruled out of Order. The hon. Member proceeded to make some further observations, when——

Mr. SULLIVAN rose to Order, remarking that the hon. Member who had last risen to Order was making a speech.

Mr. SPEAKER: The hon. Member for South Leicestershire is in possession of the House, and is entitled to proceed without interruption.

Mr. PELL, resuming, urged that the hon. Member for Meath (Mr. Parnell) had committed an aggravated breach of Order by referring, in what seemed to him (Mr. Pell) to be an adroit way, to the observation which he had made, and was about to make, and thereby repeating the very observation on which the Speaker had called him to Order.

Mr. O'CONNOR POWER wished, on the point of Order, to protest against the repeated interruptions to which the hon. Member for Meath (Mr. Parnell) was subjected. The hon. Member opposite (Mr. Pell) was particularly unfortunate in his point of Order. His hon. Friend was only making an apology to the Chair for the breach of Order into which he had been led by the hon. Member for North Warwickshire (Mr. Newdegate).

Mr. PARNELL said, that was what he was endeavouring to do, and the only reason why he was out of Order was that he was answering the remarks of the hon. Member for North Warwickshire based on the exclusion of the Press. He merely desired to say that, so far from the hon. Member's argument having established his position, it had quite the contrary effect. The hon. and learned Member for Taunton (Sir Henry James) gave his advice with a great deal of that self-confidence which he often exhibited in assuming the Leadership of the front Opposition bench. He had told the House that the only breach of Privilege which could be committed by the Press, was for it to libel a Member in his capacity as such; but he would refer the hon. and learned Gentleman to Sir Erskine May's work, wherein it was laid down that it was a breach of Privilege to wilfully misrepresent the proceedings of Members of the House. There were also many other ways in which a breach of Privilege could be committed, and he would recommend the hon. and learned Gentleman to study the question before he ventured again, with so much self-confidence, to give an opinion upon it. They all knew what a lawyer's opinion was worth when it was not paid for. He protested against English newspapers attacking Irish Members in a way they would never think of attacking English or Scotch Members. Perhaps, the Irish Members might not expect much consideration from *The Times*, *Daily News*, or *Telegraph;* still, when Privilege had been so grossly violated as in the present case, they had a right to have it settled whether the House would or would not protect Irish Members in the discharge of their duties. For himself, he did not care whether the House protected Irish Members or not; but he thought the question ought to be put from the Chair, to let the country know whether Irish Members were to look to the House for protection. The Chancellor of the Exchequer had moved what was tantamount to the Previous Question, and the right hon. Gentleman did not like to meet the Motion of the hon. Member for Dungarvan with a direct negative; because he saw that that would be in effect an assertion by the House of Commons that English newspapers might libel Irish Members without fear of any consequences. ["Oh, oh!"] The Chancellor of the Exchequer did not like to put the House in the position of saying that this was not a libel, for, perhaps, the English newspapers might at some future time attack the Chancellor of the Exchequer. He knew what the feelings of the Chancellor of the Exchequer on this subject were. He had repeatedly shown his bias with regard to his dealings with Irish Members, and he had put the machinery of that House in force against Irish Members. [*Cries of* "Order!"]

Mr. SPEAKER: The hon. Member for Meath is out of Order. I must again ask him to confine himself strictly to the question before the House.

Mr. PARNELL: I think, that in speaking to the Amendment of the Motion of my hon. Friend, if I am not at liberty to do that, I do not know what I am at liberty to do. If I am not to criticize the conduct of the Chancellor of the Exchequer, what am I to do? I am really afraid to do or say anything. My hon. Friend the Member for Dungarvan has moved that the article in *The Globe* is a breach of Privilege. The Chancellor of the Exchequer has met that by moving that the House proceed to the transaction of its Business, in order to get rid of the matter. I have been told that it is an English and straightforward course to meet a Motion of this kind with a direct negative, and I now invite the Chancellor of the Exchequer to allow the Motion to go to the House, to say whether the thing is a libel, or, if it is a libel, whether the House will protect Irish Members in this House.

The CHANCELLOR of the EXCHEQUER said, he had no right to speak again; but, as there appeared to be some misunderstanding, by way of explanation, he might say that he had moved the Amendment with this view—he did not think it was at all necessary for the House, under the circumstances brought forward by the hon. Member for Dungarvan, to go into any discussion as to whether these words were to be considered a breach of Privilege, or whether the case was one on which it would be well to pronounce any opinion. Considering the general character of the article, he did not think it was one on which the House should be called upon to decide such a question as that raised as against the editor or publisher of the paper, or the writer of the article. He thought the proper course was—whether the words used had or had not a certain meaning—the House should not entertain the question, but pass to the Order of the Day.

MR. W. E. FORSTER agreed with the Chancellor of the Exchequer, that the best course for the House to take was to pass to the next Business. He must, however, protest against the remarks of the hon. Member for Meath (Mr. Parnell), that, in passing such an Amendment, the House would be refusing to protect Irish Members. Nothing was further from the feeling of the House or the Government than that the Irish Members should not be protected in the expression of their opinions; but the question was, whether they would be able to carry on their deliberations with anything like self-respect or dignity if every article in a newspaper, which might be unpleasant to a particular Member, was to be taken notice of and discussed as if it were a breach of Privilege. They certainly wasted a great deal of time, sometimes; but he did not think, even with that circumstance in view, it was necessary to have a debate on the meaning, propriety, or justice of remarks in *The Globe*, or any other newspaper. In the course of their public duty they were all liable to such observations. He had frequently seen observations, quite as strong as those which had been read, upon himself and other hon. Members; but they had never thought it necessary to bring them before the House. He had very little doubt that his hon. and learned Friend the Member for Taunton (Sir Henry James) was right in his definition of a libel, and that the article in question was not a libel; but he felt it was not necessary further to discuss the question. It seemed to him, that it would be setting a better precedent for the future, if the House were to meet the Motion before it with a Resolution to take no notice of the matter to which it referred. He, therefore, hoped the Amendment of the Chancellor of the Exchequer would be adopted by the House.

MR. SULLIVAN said, he could have wished that this Motion had not been made, and he asked his hon. Friend the Member for Dungarvan (Mr. O'Donnell) to withdraw it—and for this, among other reasons, that he should be sorry to see the House of Commons brought into unnecessary collision with the public Press. He thought that the widest possible scope should be given to the free discussion of their conduct; and, for his own part, he had been the object of animadversions much more severe than those passed upon the hon. Member for Dungarvan. It was a perilous thing for public men to rise in an Assembly like that and invoke a penalty so severe as the machinery of Privilege against a newspaper. The Motion covered the whole article, and the portion of it which was most distasteful to him (Mr. Sullivan), and, but for which his hon. Friend, he was certain, would not have noticed it, was not that which was personal to his hon. Friend, but that which was a foul and truculent libel on the Irish people. With reference to the conduct and character of Irish landlords——

MR. SPEAKER: I must remind the hon. and learned Member that the conduct of Irish landlords is not the question before the House.

MR. SULLIVAN said, he had not said a word about the conduct or character of Irish landlords; but that Motion would not have been made, if it had not been linked with a charge which was most revolting to Irish Members. He was very sorry to see such an article in a paper which was usually characterized by moderation and fair play. The hon. Member for Dungarvan, like himself, had something to do with journalism, and he had no doubt that, in criticizing Members of Parliament, they had said something quite as severe as the language used in the article in question. He appealed, therefore, to the hon. Member, that, while it was very useful to preserve the dignity of Parliament and the liberty of debate, there was also something to be said in favour of preserving the liberty of the Press. For these reasons, he hoped that his hon. Friend would withdraw his Motion, for he (Mr. Sullivan) could not support it.

Mr. O'CONNOR POWER pointed out, that the effect of the adoption of the Amendment of the Chancellor of the Exchequer would be to prevent the House from recording its opinion with respect to the words complained of by the hon. Member for Dungarvan (Mr. O'Donnell). That would leave the Chancellor of the Exchequer at any future time at liberty to invoke the terror of a breach of Privilege, and prevent the House stigmatizing the words quoted in *The Globe* newspaper as they ought to be stigmatized. That, he thought, was a course which it was scarcely respectful to the House to ask it to pursue. He, however, concurred with the hon. and learned Member for Louth (Mr. Sullivan), in thinking that the hon. Member for Dungarvan would have acted more wisely if he had treated the article in *The Globe* with silent contempt. Nobody who was acquainted with the new-born journalism of the Metropolis, recently called into corrupt existence, could fail to perceive that there was evinced in it a perfect disease of personality. His attention had been called to the comments of those newspapers in reference to his own public action, and he had been invited to notice them, but he had always refrained from doing so. He, in reply, had simply said, that if a Member of Parliament could not defend himself on the floor of that House, there was no hope of his being able to perform his public duty. He felt, moreover, that he was an Irishman, and that he could not condescend to wipe his brogues on them. The common sense of the community would suppress these libels. As to the writer of the article in *The Globe,* he did not hesitate, though not directly, to indicate that the hon. Member for Dungarvan had made charges in that House which he did not believe, and that was only done to cater to the passions of those who considered that the Motion of the hon. Member for Dungarvan was untimely. He was not at all satisfied with the way in which the question had been met by the Chancellor of the Exchequer as Leader of the House of Commons. It was unfortunate, for it prevented the House of Commons from recording its strong censure of the language used.

Mr. O'DONNELL wished, in answer to the insinuation conveyed in the remarks which had fallen from the hon. and learned Member for Taunton (Sir Henry James), to observe that the hon. and learned Gentleman, and the right hon. Gentleman with whom he acted, had shown again and again in that House, in the discussions on the Eastern Question, that when duty called upon them they did not shrink from performing the most disagreeable offices and making the most loathsome statements. As to the Motion which he had deemed it to be his duty to make, he could only say that he had been actuated in making it by no sense of deep or keen personal resentment; neither had he brought it forward in defence of the character of the Irish nation. He felt that it was a technical point, and that other occasions might arise of dealing with some of the calumnies which had been uttered. He wished to raise the technical point, whether it was not a breach of Privilege to say that when a Member made statements, and asked the belief of the House to those statements, he did not himself believe a word of the statement he was making. He maintained, that when such a statement was made in the public Press, it amounted to a breach of Privilege. That question he desired entirely to dissociate from any personal considerations. It applied to himself at present—it might apply to the Chancellor of the Exchequer on another occasion. He could not congratulate the Chancellor of the Exchequer on his success as the Leader of the House, and as the natural protector of its Privileges, by avoiding the main issue. He asked whether it was permissible, especially under recent circumstances, where there had been no opportunity of anything like a fair report appearing, for a public journal to charge a Member of that House with making statements which he knew to be unfounded? It was a purely technical question, on which he felt bound to ask the judgment of the House.

Question put, and *negatived.*

Words *added.*

Main Question, as amended, put.

Resolved, That this House do now proceed to the Orders of the Day.

ORDERS OF THE DAY.

CUSTOMS AND INLAND REVENUE BILL—[BILL 146.]

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson.*)

CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now taken into Consideration."—(*Mr. Raikes.*)

MR. PARNELL, in rising to move—

> "That it is unjust and inexpedient to adopt a method of Imperial Taxation of the United Kingdom which presses more severely on Ireland than on Great Britain,"

reviewed the position of Ireland as compared with England at the time of the Union, and showed that the problem presented to the English statesmen after the Union was how best that Union could be continued without loss to the Imperial Exchequer; and, indeed, they went beyond that, and endeavoured to make a pecuniary profit out of the transaction. The result, of course, was, that Ireland was compelled from that day to this, to pay a large proportion to the Revenue, and this taxation was raised chiefly from the very poorest classes. The objection now was, and for years had been, that Ireland contributed to the Revenue for Imperial purposes about £8,000,000 out of £78,000,000 or £80,000,000; while she received back in advances for general purposes a very small proportion. It was seen that the ordinary sources of Revenue were in Ireland but scanty, by reason of the absence of that large middle and upper class upon which in England the Revenue could rely. In Ireland were to be found an impoverished people, who, by indirect taxation, could not be expected to return any Revenue worth speaking of. So the various Chancellors of the Exchequer had to consider how this state of affairs could be met, and Ireland remain without being a loss to the Exchequer. Owing to the habits and tastes of the Irish people, it was considered that the only way to raise Revenue was to increase the tax upon spirits, and the result had verified the experiment; and, while in England, taxation was distributed so as to affect all classes with something like equality, in Ireland, the effect was that taxation struck most heavily upon the poorer classes. On looking over the Returns of the amount of duty paid on different articles consumed in the Kingdom, he found that the Revenue paid by Ireland upon spirits was somewhere about £3,500,000, and the Revenue on tobacco was over £1,000,000. In preparing his recent Budget, it appeared that the Chancellor of the Exchequer one time contemplated increasing the spirit duty; but, finding that that was already so high that an increase would probably result in a loss to the Revenue instead of a gain, he came to the conclusion to increase the tobacco duty instead. But it happened that that also pressed most heavily upon the poorer classes, more especially from the way in which it was levied. A large increase in the burden would be placed on the shoulders of those who had no representation in the House; and, therefore, it was the more incumbent upon the House to weigh well the method of imposing the taxation, and to consider if it was just and reasonable. From a speech made in 1875 by the hon. Member for Youghal (Sir Joseph M'Kenna), it appeared that the incomes in Ireland subject to the income tax amounted to £26,572,707, and that the incomes of Great Britain subject to the tax were £455,765,610. Taking these figures was a fair way to estimate the taxpaying abilities of the two countries, and, judged by that test, it was shown that the taxpaying power of Ireland was one-seventeenth of that of Great Britain; but, when he came to the contributions to the Imperial Revenue, he found that Ireland contributed one-eighth of that of Great Britain, or twice as much as she ought to pay. Under a fair and just system of taxation, Ireland's contribution would be £4,000,000. Further statistics went to show that, from 1841 to 1871, the taxation per head of the population throughout England had been reduced from £2 9*s*. 2*d*. to £2 4*s*. 1*d*.; although England during that period had increased in riches by the developing of her mines, manufactures, and commerce, to an extraordinary extent. On the other hand, in Ireland, taxation had increased from

9*s*. 6*d*. per head to £1 6*s*. 2*d*. per head in the same time. In 1841, Ireland had not gone through the Famine; but that Famine came, and showed the deplorable state in which the country was. One and a-half millions of people were swept away, besides the numbers of people who emigrated. No doubt, Ireland had made some progress since then; but it was progress from a state of absolute poverty, and not a progress towards prosperity—in spite of the statistics, drawn up by order of the Castle at Dublin, held up to the admiration of the country, and the extravagant eulogies of the Lords Lieutenant at civic banquets. Thus, the taxation in England during the years he had mentioned, had been reduced 10 per cent, and in Ireland it had been increased nearly 300 per cent.; and this had been done chiefly by raising the spirit duties from 2*s*. to 10*s*. In England, however, financial movers had been careful not to raise the taxation among the poorer classes. Spanish and Portuguese wines paid 6*s*. and French wines 4*s*. for every gallon of proof spirit contained; but these were not consumed by the poorer class, who, upon beer, paid 2*s*. per gallon of spirit. He did not advocate a reduction of the spirit duty, but rather that ale and porter, and also all foreign wines, should pay duty at the same rate according to their alcoholic strength. This was not a proposition in which a tendency to promote drunkenness could be found; but, on the contrary, it would assist the cause of temperance, while it equalized the incidence of taxation, which experience had shown to be unfair to Ireland and Scotland. When the time arrived, as he hoped it would arrive, when the duties on alcoholic liquors were equalized, then, if a Chancellor of the Exchequer found he had an excess of Revenue, he might proceed to lower the duties all round. It might be said that that would increase drunkenness, and, undoubtedly, in Ireland, that was a great evil; but it was found by statistics that temperance had not decreased since 1841, or that the consumption per head among the population had diminished with the increase of taxation. Indeed, so far from temperance being promoted, the people had suffered from the deterioration in the quality of spirits supplied to them. A trade, alarming both to the health of the people and the Revenue, had sprung up in "silent spirit," manufactured in Scotland and in Germany from refuse of all kinds. This spirit was used for blending, and it was of an intensely poisonous character, though tasteless. Nine or 10 gallons of this, at about 1*s*. 6*d*. or 2*s*. a-gallon, added to a gallon of pure Irish whiskey, was about the proportion used, and, when sold, it was impossible to detect the adulteration except by the result upon the unfortunate consumers. By this means, the Revenue was to some extent defrauded, and the reputation of Irish whiskey materially suffered.

It being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

The House suspended its Sitting at five minutes to Seven of the clock.

The House resumed its Sitting at Nine of the clock.

INTERMENTS IN CHURCHYARDS BILL.

THE CHANCELLOR OF THE EXCHEQUER appealed to the hon. Member for the Tower Hamlets (Mr. Ritchie), who had charge of the Bill, not to proceed that evening with the second reading, although it stood first in the list of Orders of the Day. It would be a convenience to the Government to proceed with the Customs and Inland Revenue Bill, which should be disposed of with as little delay as possible.

MR. RITCHIE said, it was rather a hard thing to ask a private Member to postpone a Bill at that period of the Session when it was in such a good position upon the Paper, although it might have gained it by an accident. He would, however, yield to the appeal of the right hon. Gentleman, on condition that the other Bills standing on the Paper in the names of private Members were also postponed.

Second Reading *deferred* till *Tuesday* 7th May.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

CUSTOMS AND INLAND REVENUE BILL.

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson.*)

[BILL 146.] CONSIDERATION.

Order read, for resuming Adjourned Debate on Question [16th April], "That the Bill be now taken into Consideration."

Question again proposed.

Debate *resumed.*

Question put, and *agreed to.*

Bill *considered.*

The CHANCELLOR of the EXCHEQUER said, he had very carefully considered, since the discussion on the previous evening, the rates of the tobacco duty, and he proposed to make an Amendment in Clause 3, line 34, page 2. Although he did not feel that his hon. Friend the Member for the Tower Hamlets (Mr. Ritchie) had made out the case which he desired to impress upon the House, and though he was not prepared to accede to his views by altering the rates of the duties, yet he did propose to make an alteration in reference to the drawback, which he thought would be of material advantage to the trade. At present, as was stated in the discussion last night, a great deal of snuff manufactured from the stalks was presented for drawback, and the drawback was allowed upon it, and much of the article on which the drawback was allowed was abandoned as really valueless. He had been in consultation with his advisers at the Customs on the subject, and it was thought that it would be fair and reasonable to allow exporters of this snuff, when delivered at the Customs, to obtain the drawback, and thus prevent them from the necessity of sending that snuff across the Channel to the Channel Islands, or to France, and there finding it unsaleable. Therefore, he begged to move a Proviso, to the effect that any licensed manufacturer should be entitled, under the Act of 1863 and this Act, to this drawback, provided he deposited the stalks at the Queen's Warehouse, and abandoned the same to be destroyed.

Mr. RITCHIE hardly knew what effect this concession would have upon the persons whose complaint he had presented to the House; but he wished to inform the right hon. Gentleman that the price of these stalks was less now than in 1863, in consequence of the consumption of this sort of snuff having greatly decreased. The right hon. Gentleman had said that he had not made out a case for an increase of duty on cigars. Last night the right hon. Gentleman agreed, however, that possibly the British manufacturers would suffer to some small extent by the imposition of the new duty; but he proceeded to observe that, as the price of tobacco stalks had increased from 2*s.* 4*d.* in 1863 to 2*s.* 8*d.* in the present year, the additional 4*d.* would more than compensate the British manufacturers for any loss they might sustain from the increase of the duty. He had made inquiries that day of a large firm of tobacco brokers in the City, and he ascertained from their circulars that in 1863 the price of tobacco stalks varied from 2*s.* 10*d.* to 3*s.* 2*d.*; whereas in April, 1868, the price of the same qualities was put down at 2*s.* 10*d.* to 3*s.* Therefore, instead of the stalks being worth 4*d.* per lb. more now than they were in 1863, they were actually worth 2*d.* per lb. less. It might, perhaps, be asked why, if the price were 2*s.* 10*d.* in 1863, the right hon. Gentleman the Member for Greenwich, when fixing the differential duties, took the price at 2*s.* 4*d.*? The answer was, that the circulars gave the price for the stalks when they were in a perfectly dry state; but the right hon. Gentleman the Member for Greenwich took the price of the stalks with the 20 per cent of moisture in them. This was the cause of the error into which the Chancellor of the Exchequer fell when he stated that the price was 4*d.* per lb. more now than it was then.

Mr. SPEAKER pointed out, that the hon. Member's remarks had nothing to do with the Amendment proposed by the Chancellor of the Exchequer.

Mr. RITCHIE thought he had sufficiently explained what he had to say, and he need not trouble the House any further on the point. He did not see that the concession which the right hon. Gentleman proposed to make was likely to be acceptable to the trade.

Amendment *agreed to;* words *inserted.*

The CHANCELLOR of the EXCHEQUER said, that, in order to carry into effect the views of the hon. Member for Durham (Mr. Herschell), he would, in Clause 12, move additional words to the effect that, where any machinery or plant was let upon such terms that the burden of maintaining and restoring the same fell on the lessor, he should be entitled, upon claim made to the Commissioners, to have repaid to him such portion of the sum which he might have been charged in respect of the diminution of value caused by the wear and tear of such machinery or plant.

Amendment proposed,

In page 6, line 1, to leave out from "reasonable" to "used," in line 3, and insert "as representing the diminished value, by reason of wear and tear, of any machinery and plant used during the year."—(*Mr. Chancellor of the Exchequer.*)

Mr. CHADWICK said, that manufacturers were much indebted to the Chancellor of the Exchequer for concessions which would fairly meet their views.

Amendment *agreed to.*

Further Amendments made.

The CHANCELLOR of the EXCHEQUER said, that, as the House was about to separate for the Holidays, and it was a great convenience to the trade of the country to be free from suspense in these matters, he would venture to suggest, and he hoped the House would allow the Standing Orders to be suspended, in order that the Bill might be read a third time.

Mr. SPEAKER said, he was obliged to point out, that although with respect to Bills, other than Money Bills, two stages of a Bill were occasionally taken at one Sitting on grounds of urgency, there was no instance of this course being taken with regard to Money Bills.

Bill to be read the third time upon *Monday* 6th May.

House adjourned at a quarter before Ten o'clock till Monday 6th May.

HOUSE OF COMMONS,

Monday, 6*th May*, 1878.

MINUTES.]—New Writs Issued—*For* Oxford University, *v.* The Right hon. Gathorne Hardy, now Viscount Cranbrook, called up to the House of Peers; *for* West Kent, *v.* John Gilbert Talbot, esquire, Manor of Northstead; *for* County Down, *v.* James Sharman Crawford, esquire, deceased; *for* Carmarthen, *v.* Sir Emile Algernon Arthur Keppel Cowell-Stepney, Chiltern Hundreds.

New Member Sworn—Robert William Hanbury, esquire, *for* the Northern Division of the County of Stafford.

Supply—*considered in Committee*—Civil Service Estimates, Class II.

Public Bills—*Resolution in Committee—Ordered—First Reading*—Pier and Harbour Orders Confirmation (No. 2) * [159].

Second Reading—General Police and Improvement (Scotland) Act, 1862, Amendment * [147]; Monuments (Metropolis) (No. 2) * [140].

Select Committee—Merchant Seamen * [79], Mr. Stanhope *added.*

Committee—Report—Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation * [136]; Pier and Harbour Orders Confirmation (No. 1) * [148]; Adulteration of Seeds Act (1869) Amendment * [139].

QUESTIONS.

THE EASTERN QUESTION—THE NEGOTIATIONS.—QUESTIONS.

OBSERVATIONS.

The Marquess of HARTINGTON: I beg, Sir, to ask the right hon. Gentleman the Chancellor of the Exchequer, Whether he is able to give the House any information respecting the renewed negotiations which are stated to be in progress between Her Majesty's Government and the Government of Russia; and, whether he is able to hold out any hope of an early assembling of the European Congress? I should wish, also, to ask the right hon. Gentleman a Question, of which I have given him private Notice, relating to a subject which it is, perhaps, desirable should be explained as speedily as possible. That Question is, Whether he is able to explain why the decision of Her Majesty's Government to despatch a Force of Indian Native troops to Malta was not communicated to Parliament before the rising of the House for the

Recess, the public announcement that that step would be taken having been made the day after Parliament separated for the Holidays?

THE CHANCELLOR OF THE EXCHEQUER: Sir, with regard to the first of the Questions which the noble Lord has asked me, I am at the present moment only in a position to say that active negotiations have been and are now going on, and that it would be, in the opinion of Her Majesty's Government, exceedingly disadvantageous to the public service were any general discussion to be held upon this subject at the present moment. I may, however, say with reference to one matter of interest to which reference was made before the rising of the House, that the negotiations which Her Majesty's Government have been carrying on with regard to the disturbances in Thessaly have now been conducted nearly to an issue, and we have every reason to believe that a pacification upon equal terms will be secured. With regard to the last Question of the noble Lord, I can only say that the decision of Her Majesty's Government to order a certain number of Indian troops to Malta was one arrived at some time ago; but that it was not thought necessary, nor is it according to practice, that such a decision should be communicated to Parliament. It will, however, be our duty, as early as is convenient—and I hope it will be very soon —to lay before Parliament an Estimate of the cost of that Expeditionary movement; and that, I think, will be the most convenient time for raising any discussion it may be thought desirable to raise upon the subject. I do not see the right hon. Member for Birmingham (Mr. John Bright) in his place; but even in his absence I wish to take very brief notice of a statement made by the right hon. Gentleman during the Recess, in which he charged Her Majesty's Government, and myself individually, with having deceived the House. I do not think it generally desirable to take notice of statements made in this manner, neither do I wish to discuss the matter now; all I desire to say is, that I hope if the right hon. Gentleman has any charge of that kind to make, he will lay it before the House, and in a form which will afford an opportunity of answering it. There is a small matter of routine which I ought to mention now, relative to the Business of the House. It was understood before the Recess, that after we met again Public Business should begin at a quarter-past 4. I therefore give Notice that to-morrow, and on subsequent days, we shall propose to take Public Business at a quarter-past 4, if the Private Business will allow of it.

MR. FAWCETT said, he desired to bring before the House a subject of considerable importance, and to put himself in Order, he should conclude with a Motion for Adjournment. He had no desire to interfere with the Business of the House; but he felt the matter to which he wished to direct attention could not bear a moment's delay. It was one that intimately touched the Privileges of the House and the authority of Parliament. After what the Chancellor of the Exchequer had said, he (Mr. Fawcett) was not going to say a word about the position of the negotiations which were now pending; for it would be a serious responsibility for a private Member to take upon himself to raise a discussion on the subject of the negotiations after he had been appealed to by a responsible Minister. And with regard to what the Chancellor of the Exchequer had just said about his (Mr. Fawcett's) right hon. Friend the Member for Birmingham, he could only say this—that he was not going to charge the Chancellor of the Exchequer with intentionally misleading him. He knew the Chancellor of the Exchequer would not intentionally mislead any Member of the House; but this he did wish to say, in the most distinct manner, that, although it was not the intention of the Chancellor of the Exchequer to mislead him, he, and at least 100 other Members of the House, had been misled. And it was not their own fault that they were misled. If the English language had not lost its plain and distinct meaning, he should say it was natural, and that there was no other course but that they should be misled by the speech which the Chancellor of the Exchequer made immediately before the adjournment for the Recess. It would be in the recollection of hon. Members, that before the Recess, he (Mr. Fawcett) proposed a Motion to shorten the proposed Recess by a week. He withdrew that Motion against the wish of some of his Friends; but he felt it was impossible for him to divide the House after what he regarded as "the eminently satisfactory statement of the Chancellor of the Exchequer." He had read that statement again within the last hour, and he adhered to the expression he used on that occasion—namely, that in the face of so eminently satisfactory a statement, he felt it impossible to divide the House. The Chancellor of the Exchequer said—"I beg to assure the hon. Member for Hackney, who has brought forward this Motion, and I beg to assure the House most distinctly, that there has been no change in our policy." No change in our policy! If the bringing of an indefinite number of our Indian troops, for the first time, into Europe, to be engaged in a European contest, was not a change in our policy, he (Mr. Fawcett) did not know what a change in our policy was. There could not be a change of policy which could raise a more important Constitutional question affecting this country, or a question of more vital importance affecting the Government and the finances of India. What was the meaning of their Mutiny Bill, the passing or the withholding of which was among the dearest and most cherished privileges of Parliament? It was that they might not be overborne by a large standing Army. Why was it that they voted every year, most carefully and most scrupulously, the number of men who should constitute their standing Army? It was because Parliament might keep a tight hand on the strength of the standing Army. It was not for him to go into history on that occasion, or he could show that there was no Constitutional principle which their forefathers thought of greater importance to preserve. But what was the position now? The numbers of the Indian Army were not limited. They might have 200,000 men in that Army this year, and 500,000 next year. The Government might decide to bring 70,000, or 170,000, or 250,000 of that Army into Europe. [*Ministerial cheers.*] He was glad of that cheer, for the House was now beginning to discover from it the intentions of the Government, and the country would see the gravity, the peril, and the importance of what had been done. And then the Chancellor of the Exchequer might come down to the House, and, in a few light sentences, say it was not according to custom that Parliament should be informed on the subject. How could he say that, well knowing that Indian soldiers had never before been brought into Europe to engage in a contest; and that, therefore, there was no precedent to justify what had been done? About what subject was it necessary that Parliament should be informed, if not about this? He (Mr. Fawcett) believed he was speaking the opinion of the great majority of those sitting near him, when he said that they would far sooner have squandered and wasted millions of English money than that the Government should have started upon this course of bringing the troops of India to fight European battles without consulting Parliament. If they could do that, it seemed to him that there was no single matter which they could not do as an Executive without consulting the House of Commons. What was the use of Army Estimates, and of voting a certain number of men, if a week or two afterwards they were to be told that an indefinite number of soldiers were coming from India, but that it had not been thought worth while to inform Parliament? Would it not have been worth the while of the Chancellor of the Exchequer to inform Parliament what would be the cost, and how the expenses were to be borne between England and India? The House knew nothing of the relative charges to be borne in India and the relative charges in England. Again, look at the question as affecting India. We were responsible for the good government of India. There was no one who had given any attention to the question of the government of India, who did not feel that you could not raise a question of so much vital importance connected with the government of India as the bringing of Indian troops into Europe and their possible return to India, either flushed with victory, or crushed with disaster. ["No!"] India had been deprived of 7,000 troops, and we were told that the Government were going to deprive her of 7,000 or 8,000 more. But, whether that was so or not, 7,000 had sailed from Bombay. From this dilemma there was no escape—either before these 7,000 troops sailed from Bombay the Indian Army was extravagantly large, or, at the present moment, India was inadequately supplied with troops. Either she had been paying, whilst her finances were in a critical and crippled condition, to provide a Reserve for this country, or she had at this moment 7,000 less troops at command than were necessary for the safety of the Empire. When it was considered, as a matter of taxation, that these 7,000 troops cost more than had been raised by the increased salt duty imposed upon famished millions in India, the importance of this matter to the finances of India would be seen. But, what was more important than all, was that it was necessary that the House should do something to prevent this thing being repeated; because, according to what the Chancellor of the Exchequer had just said, it was not necessary that Parliament should be informed on this subject. The House did not know what was going to be done with these troops. According to the opinion of some of his Friends, to whose opinion he was bound to pay respect, there was nothing to prevent the Government, now that they had started on this career of coming to the help of poor enfeebled England with the resources of the Indian Army, from landing 70,000 or 80,000 Indian troops in London without consulting Parliament, and then asking for a Supplementary Estimate. However unimportant the Government might consider the matter, he knew he was expressing the opinions of many, both inside and out of that House, when he said they were determined that such a thing as this should not be done without Parliament being consulted, and the advice of the House of Commons taken, or they would do all in their power to protest and remonstrate against it. He now begged to move the Adjournment of the House.

Motion made and Question proposed, "That this House do now adjourn."—(*Mr. Fawcett.*)

SIR GEORGE CAMPBELL said, he desired to speak in no Party spirit, but rather in the character of an old Indian official who had had some experience of those subjects. It was unnecessary that he should say very much on the Constitutional phase of the question, as it had been so forcibly and emphatically handled by the hon. Member for Hackney (Mr. Fawcett). The House must admit his hon. Friend was right in saying that a very great Constitutional question was raised by that act of the Government. The bringing of Indian troops into Europe was a course that had never been adopted before, and it was a totally different matter from the calling out of the Reserves at home. It was not foreseen in either their civil or their Army constitution, and the question it raised—a very difficult one, which had been noticed by one of the great public journals—was, by what military law were these Indian troops to be governed when they entered a British Colony in Europe? The people of this country had long been most jealous of a standing Army, which could not be maintained except under an annual Mutiny Act. In India, on the other hand, a different state of things prevailed. There they had no free Government or Parliament, and they had a Mutiny Act, which was not annual, but perpetual, passed under the authority of the Indian Legislature. When the English Mutiny Act was under discussion the other day, the question was asked whether that Act was applicable to Indian troops? and it was then distinctly stated that it was not. Therefore, if those Indian troops were to be governed at all, it must be under the Mutiny Act passed by the Indian Legislature, whose powers for some purposes were not absolutely confined to India, but extended to the old Indian limits of the Cape of Good Hope and the Isthmus of Suez. He did not see, however, how they could extend beyond those bounds. Therefore, it was a question, when they had brought those Indian troops to Malta, whether they would have any law to govern them by. If, when they were at Malta, they would be governed by Indian military law, he did not see why they might not some day be brought to England to be governed by the Indian perpetual Mutiny Act, in which case Parliament would have no control in the matter. Then came the question, how was provision to be made for the payment of the troops? The expense, which would no doubt be very great, had not been contemplated by the Chancellor of the Exchequer in his Budget. Did the right hon. Gentleman intend to meet this expenditure by asking the House to re-commit the Inland Revenue Bill, which was down for third reading that evening, in order that he might impose an addition to the income tax and to the tobacco duty, or to the duty on malt? The question was a very serious one, and would involve the expenditure, not only of hundreds of thousands of pounds, but possibly of millions. No doubt, in so important an affair, Lord Napier of Magdala had been consulted. Whatever that noble and gallant Lord did, would, he was sure, be very well done, and in military matters the Government would be safe in his hands. But there was no concealing the fact, that as regarded expense Lord Napier of Magdala was one of the most lavish men. They knew how soon an Abyssinian Expedition, hardly larger than that now ordered from India, was run up to a cost of £9,000,000 sterling. In all probability a very heavy expenditure would be incurred by despatching Indian troops to Europe; and yet, as he had observed, not one word had been said by Her Majesty's Government as to the manner in which they proposed to meet that expenditure. Looking at the matter from the point of view of an old Indian, he confessed that he was inclined to believe that, at the right time, and in the right place, and under proper circumstances, it would not, perhaps, be a bad thing to relieve the strain on the home population by utilizing Indian soldiers for some kinds of service. Such a measure would be justifiable in two cases — first, either as an experiment made at a fitting time and under fitting conditions; and, secondly, when our resources were strained to the utmost by a great war, and we must have recourse to all the men and means we could command, from whatever quarter derived. Now, the despatch at present of a few regiments from India could hardly be treated as more than an experiment, and he did not think that this was a fitting time for making such an experiment. They should remember President Lincoln's advice—"Don't swop horses when crossing a stream"—for, if ever men were crossing a stream, we were in that position at this moment. It might be said *The Times* correspondent had told them that the measure had succeeded. Now, they were all much indebted to *The Times* for its admirable foreign correspondence. That great journal maintained the very best men in every country in Europe. In India, its famous Special Correspondent during the Mutiny, developed a new art. But in ordinary times, it was very difficult to get good correspondents; when everyone was either in office or in business. He thought *The Times* was the only paper which had regular correspondence from India; at any rate, it was the only paper which got its correspondence by weekly telegram, and thus it had a peculiar influence on opinion. For a long time it was very lucky in a succession of excellent men, but it was the general Indian opinion that at this moment it was not so fortunate. Old Indians thought there was nothing they so little knew as the real opinions and feelings of the Natives; but this correspondent was ready, the very day after a great measure had been promulgated, to tell them that the Hindoos looked upon it as throwing lustre on their race, and on the next day that the Native Army were enthusiastic about it. At the end of a few days, they received more detailed accounts of that enthusiasm. He suspected that they were very much exaggerated. At the same time, he did not doubt that they had a substratum of fact. The Sepoys were a very practical people. What they were influenced by was not so much political enthusiasm as the prospect of the increased pay and plunder—loot, as it was called in India—they were likely to get; and he had no doubt that the very liberal terms offered sufficed to bring them away from India very well pleased. But let the House not deceive itself; and he warned the Government, that the terms on which we were served by our Indian Sepoy troops were such that we dare not order them off on foreign service as we would an English regiment, and that we must, in one shape or another, bribe them to go. That was, in fact, what we had done. Supposing some 7,000 Native troops, all told—a mere bagatelle from a European point of view—had been successfully despatched from India, that Force would be enough intensely to irritate Russia and to induce other Powers to look askance at us; enough to serve as a menace, but not enough to give effective aid to our troops in case of war. The selection of the Expeditionary Force seemed to have been made with a view fairly to distribute the honour among the different Presidencies of Madras, Bombay, and Calcutta, and to satisfy all sensibilities. They were good enough troops in some ways; but, with regard to the question of efficiency, most of them would be unable to cope with first-class European troops. Probably, in the 7,000 men who had been ordered to Malta, it would not be possible to find more than two battalions — the 31st Punjabis and the 2nd Goorkhas—fit for severe European warfare; but they would be thoroughly good and well-officered troops. There was also a small force of cavalry, which, however useful it might some day prove itself in the case of a long campaign in the open, would be enormously expensive and very useless while maintained on a rock like Malta. Again, it was another and a very grave objection to the action of the Government, that we had no absolute right to bring troops through the Suez Canal. Hitherto we had done so for ordinary relief purposes on sufferance, having established no right to carry our troops through the neutral territory, and if we were to do so now for purposes of warlike demonstration, we should not only offend Russia, but should create a dangerous precedent which other nations might possibly use for hostile purposes. He could not see why, if our transports carried troops from India through the Suez Canal, some day vessels of war might not appear before Port Said and insist on going through the Canal to Madras and Bombay. The Canal ought to be neutralized, and for the future to be used only for the purposes of legitimate commerce. Another word as to the cost of Native troops. In India, the Native soldier received about £10 per annum, and was not expensively paid; but the men selected for despatch to Malta would be very differently treated, and would receive not only the batta, or extra allowance for foreign service, but also a free kit, free rations, and free quarters. They would thus be "all found," and have a clear cash payment of 1*s*. a-day, while no European soldier received so much; and he doubted whether we were prepared to have Native soldiers serving side by side with Europeans, and receiving larger pay. Then there was the expense of transport to be considered, and the House would remember that it was more expensive than that of European troops, that European soldiers could be mose closely packed on board ship, and that the Indian soldiers would require more camp followers than Europeans, that their cookery was a less simple affair, and that the voyage was a longer and more expensive one than from England to Malta. That cost would, no doubt, amount to an enormous sum before the troops got back to India. Supposing even that the first experiment encouraged us to bring Indian troops to Europe in such numbers that they might be seriously effective, they could not do so so easily as was thought. What would be their position if, during a great war, they had to rely upon their Indian troops? The Native Army consisted of 120,000 men, all told, and from these it would be necessary to deduct great numbers for guard and garrison duty all over India for the maintenance of peace and the security of the Indian Dominion. Again, three-fourths of the Natives were not men who could be trusted to fight in Europe, and all they had, therefore, was an available force of some 25,000 or 30,000 Sikhs, Patans, Goorkhas, and Dogras, all of whom could not be sent away. It must be understood, that if we desired to raise a large number of additional troops in India, that there were no Reserves, as service was for life; and if it were necessary to treat India as a recruiting ground, it would be found that the manufacture of soldiers would be a very long process, and that the recruits would literally have to be taken from the plough-tail. The Punjaub alone yielded a race of men fit for such services. No doubt, when we first occupied India, the country swarmed with soldiers; but that state of things had entirely passed away, and we could only picture to ourselves the condition of India in that respect by imagining the state of England without the Militia, and the Reserves, and the Volunteers. In time, if liberal terms were offered, a very large number of recruits would be obtained, but they were not immediately available, and would be very expensive. Nor could he forget that the great objection to any very considerable increase in the number of the Native troops, even if they were found able to compete with European troops, was the difficulty of getting rid of them when they were done with. It would be necessary either to maintain them, or to give them a bonus and disband them. The former course was bad for economical reasons, and the latter for political. He came, then, to the conclusion that, we had in one part of India a great Reserve of men who might be very useful in the course of a long struggle, but whose services could not be rendered effectively in other circumstances, and would not be justified by the attainment of any secondary object. Looking, then, to the dangers and difficulties he had pointed out, it was clear that a step like that the Government had taken ought not to be resorted to until war was really upon us; but, as the thing was now done, he would simply ask the Government to inform the House under which Mutiny Act the Native troops were to be governed, and whether the Chancellor of the Exchequer intended to provide for the expenses without re-casting the Budget?

Sir WILLIAM HARCOURT: Sir, I do not rise to discuss this question generally, but to ask the Chancellor of the Exchequer, before he makes any observation upon the remarks of the hon. Member for Hackney (Mr. Fawcett), to explain a phrase which he was understood to use in answer to my noble Friend the Leader of the Opposition. My noble Friend asked the Chancellor of the Exchequer to give some explanation as to why this measure on the part of the Government was not communicated to the House on the day of its rising, and I understood the Chancellor of the Exchequer to say that the decision of the Government was arrived at some days previously, and that, in his opinion, it was not necessary to communicate it to the House. If that sentence has the meaning it would seem to bear, it propounds a doctrine against which every man who sits on this side of the House must protest, and against which I should hope most hon. Gentlemen on the other side of the House would protest; also, because, if it means anything at all, it means this—that the Chancellor of the Exchequer, as the direct Representative of the Crown in this House, can go on and claim the right to employ the whole Indian Army—for there is no distinction between one regiment and the whole for any purpose whatever, either in Europe or elsewhere, or in England. I shall be glad to hear from the Chancellor of the Exchequer on what grounds he can support the bringing of the troops to Malta and not here? Of course, the Chancellor of the Exchequer has considered the question, and is prepared to answer it; but it is right we should know what is the limit to the doctrine which the Government on the part of the Crown asserts. I should like to know, whether the Chancellor of the Exchequer lays down the rule that, without the consent of Parliament, without communication with Parliament in any form, the Crown claims the right to employ the whole of the Indian Forces for any purpose whatsoever? Because, if so, that is contrary to the doctrine which I have always understood to belong to the Constitution of this country, and I cannot for a moment believe that that is what the Chancellor of the Exchequer intended to assert. In this country for generations the English people have taken precautions—wise precautions and safe precautions—that the Armies of the Crown shall not be employed without the knowledge and without the consent of Parliament. It has not hitherto been necessary, because the case has not hitherto been contemplated, to apply the same Constitutional safeguards and precautions to the Armies of India. I do not wish to express any decision at this moment at all adverse to the policy of the Government. I am speaking only of the manner in which this policy has undoubtedly been put into effect. If the Chancellor of the Exchequer adheres to the assertion that this is a thing which can be done, and which ought to be done, without any communication with Parliament, I say, we are then in the face of a very grave Constitutional question. The Chancellor of the Exchequer says he will bring forward an Estimate; but it might be that it would not be necessary to bring forward an Estimate. It might be that the Revenues of the Indian Government would be found adequate to supply these Forces. Does the Chancellor of the Exchequer assert that if there was an Indian surplus the Government need not come to Parliament for any authority; but that they might employ the Indian Revenue to furnish the Crown with Armies for European purposes or for English purposes? [Mr. Assheton Cross: No, no!] I shall be glad to hear his explanation on that point. I am sure the Chancellor of the Exchequer will not think that any Member of the Opposition is not justified in asking that question of the Government. I ask it, not in a hostile spirit; but, wanting to know exactly the relations in which the Crown stands to Parliament in matters of this sort, I did not wish to pass by that sentence of the Chancellor of the Exchequer for fear it might bear an interpretation which he did not intend should be put upon it. I cordially agree with the hon. Member for Hackney, that no one desires to impute to the Chancellor of the Exchequer for a moment that he desired to deal with the House otherwise than with a spirit of perfect frankness. We certainly have had no occasion to complain of the want of willingness on the part of the Government from time to time to communicate such information as they thought consistent with the public service; but I confess I have some difficulty in understanding how it was that the Chancellor of the Exchequer should have been able, on the day of adjournment, to say that nothing had occurred which should give occasion for increased anxiety. I confess that the meaning to be attached to these words very much depends on the *animus recipientis;* but it so happened, that next afternoon, I met my right hon. Friend the Member for Bradford (Mr. W. E. Forster), who had asked from the Government the explanation which they gave. I met him just at the moment when this news of the Government ordering troops from India came out in the evening papers; and all I can say is, that it did give us very much increased anxiety. We both asked whether it could be possible that the Chancellor of the Exchequer knew of that when he gave the answer the day before? I presume, from what the Chancellor of the Exchequer said, that his real meaning was that this resolution had been taken some time previously. It would appear that this is, in fact, one of the measures of the Government—I do not know how many of them there are yet undisclosed—which Lord Derby said had led him to withdraw from the Cabinet. We know, that at the time when Lord Derby resigned, in order to remove public anxiety, it was stated by the First Minister of the Crown that the measure intended to be taken was the calling out of the Reserve Forces, and innocent-minded and ignorant people concluded that that was the only measure. By degrees, however, measure after measure reveals itself, and we were certainly told by Lord Derby that there were more than one. Finally, this measure is taken to bring the Indian troops to Europe. I do not say it is wrong; but it is, at all events, a very grave measure—a very novel measure—certainly a measure seriously affecting the internal policy and organization of our Indian Empire and the relations of England with Europe. And then the Chancellor of the Exchequer expects us to be satisfied with a single sentence to the effect that the measure was decided on some time, and that the Government did not think it necessary to communicate it to Parliament. I do not think that that is a situation with which the House of Commons will rest content in the presence of the Government. I do not think the House of Commons ought to rest content with it. Whether the measure is right or wrong—upon which point I will offer no opinion—I do say the House of Commons ought not to accept the situation of being told by the Government that a measure of this gravity and this consequence, whether in relation to peace or in relation to war, is to be determined on by the Government, and the House of Commons is not to be told. I can quite understand that if we were at war, or even if war were imminent, that there might be strong reasons for a Government keeping back its policy, in order that they might be able to strike an immediate blow. They can give to Parliament afterwards explanations why they did not reveal it. But that was not the case here. I do not know when the order was given, or when the order was sent; but, at all events, the Government did not keep their own secret; although they did not think it necessary to communicate it to Parliament, they allowed it to be communicated to the public within 24 hours after the House rose. Therefore, it is impossible to believe that it was necessary to keep it back from the House of Commons; because, if it had been necessary on the grounds of public policy, they would have kept it back from other quarters. In order that the Chancellor of the Exchequer may give us fuller explanation, in order that we may understand the relation in which the House of Commons stands to the Government in reference to this measure, and other measures of a similar character, I have put these Questions.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am as far as possible from being disposed to complain of any remarks which have been made by the hon. and learned Member for Oxford (Sir William Harcourt), or on the discussion which has been raised by the hon. Member for Hackney (Mr. Fawcett). I think it was only to be expected, and it was clearly right and natural for Members of this House that they should, at the earliest period which presented itself, put Questions to the Government on this matter, and claim for the House of Commons the discussion of the step which Her Majesty's Government have thought it their duty to advise. I can only say that when we are in a position—which I hope will be very shortly—to bring forward the Estimate of the expenses attending this movement of troops, opportunity will be given for full discussion of the various points which have been suggested in the speeches to which we have just listened and the other questions which will then, no doubt, be raised. There are, however, matters upon which I think I ought at once to offer some explanation. I was very brief in my answer to the noble Lord opposite, because I felt almost certain that this discussion would come on, and because I thought it would be more convenient to wait to give explanations in answer to what might be said. Now, I would like to make one or two remarks with reference to the observations which have fallen from the hon. and learned Member for Oxford. There is no doubt whatever that this is a very important step; but it is, at the same time, a step which, after all, when you come to regard what it is, is neither more nor less than a direction given by Her Majesty for the moving of a portion of Her Forces from one part of the Empire to the other. And, though it is a movement which will undoubtedly come under the notice of Parliament, and over which Parliament holds the control, which it holds over all movements of British Forces—that of the right of withholding or challenging the Supplies asked for the purpose—yet, so far as the order given to Her Majesty's troops is concerned, it is an order strictly within the proper Constitutional Prerogative of the Crown, and one which Her Majesty has as much right to give as to order any portion of British troops now in England to proceed to Gibraltar, or Malta, or anywhere else. Then, I am asked why notice was not given of this step before? Well, the hon. and learned Gentleman opposite has himself suggested to our consideration what it seems to me might have suggested itself to any mind—that, in a movement of this kind, it was not desirable that there should be any premature discussion or disclosures until the necessary arrangements were completed. The decision was arrived at in principle some time ago; but the arrangements had to be made in India, where they required time, and where they could be satisfactorily completed only by the observance of secrecy. It would, indeed, be inconvenient in every way, that there should be any premature publicity with respect to them. The hon. and learned Gentleman says, that, as a matter of fact, the Government allowed the matter to transpire within 24 hours after the rising of the House. Well, there was no communication made on the part of the Government, and I may say that the Government generally were not prepared for the matter becoming known so soon. It, however, became very well known in India, in consequence of the preparations which were necessary, and which were hurried forward in order to enable the troops to sail before the Monsoon. But, under any circumstances, I may frankly say that we should not have thought it our duty—even if we had not foreseen that the matter would become public within so short a time—to have made a communication to Parliament with respect to it until the arrangements had been completed. There was no reason why it should be done, and we saw much inconvenience in premature discussions and disclosures on the subject. The question of transports, as one instance, would have been complicated if any premature discussion arose. But the hon. and learned Gentleman says that if this is a power which the Crown claims, and which is to be recognized, very serious consequences may follow, and we must be prepared for some very serious results. It is contended, that it may happen that a large Force, or some Force, may be brought from India into the United Kingdom. The hon. and learned Gentleman says, again—suppose the Indian Revenue were in a flourishing condition, it might be claimed by the Crown to make use of a portion of the Indian Army, the expenses coming out of the Indian Revenue, without coming to Parliament for Supplies; and that, in that way, the power of Parliament might be evaded. Now, in regard to the first point—the question of bringing the troops to England, I believe I am right in saying that that would be contrary to the Bill of Rights, and that it is a step which it would be impossible for any Minister of the Crown to advise should be taken, because it is distinctly contrary to an Act of Parliament. "Movement of the British troops from one part of the Dominions of Her Majesty to another," does not authorize the bringing into the United Kingdom of any troops that have not been authorized. That is recited in the Preamble of the Act. With regard to the employment of the Indian Revenues for the purpose of enabling Indian troops to be used by Her Majesty, that has been distinctly provided against by an Act that was passed somewhere about 1856 or 1857—[An hon. MEMBER: 1859.]—after the Persian War. That Act, passed in 1859, as I am reminded, provides that the Indian troops cannot be employed beyond the limits of India or paid for out of the Indian Revenue without the consent of Parliament, and that Indian troops can only be brought outside the limits of India for the purpose of repelling invasion, and they can only be paid for by funds supplied by Parliament, or with the consent of Parliament. With regard to the Question out of which funds the troops will be paid for?—I may say we propose that the entire expense shall be borne out of the Imperial Exchequer, and that India shall be entirely relieved of any charge in respect of them. Therefore, the House will see that the proposal will be one of a character that will not be open to the objections taken by the hon. Member for Hackney, though I should be prepared to say that the question was one in which the interests of India were involved as a part of the Empire. For, in fact, they are very much affected by events which may possibly come. However, I will not raise the question, because it is one which more properly belongs to the discussion which may take place when the Estimate is proposed. With regard to the Question of the hon. Member for Kirkcaldy (Sir George Campbell) whether I propose to reconstruct the Budget in consequence of this?—I have to assure the hon. Member that that is not my intention. I would remind him that, at the time I brought it forward, I stated that there would be Supplementary Estimates, and that they were not being lost sight of in the arrangements I was then proposing. That, again, will be matter for discussion on another occasion. The Act under which the Indian troops will serve in Europe will, I apprehend, be the Indian Mutiny Act. That, however, is a question which I would rather leave to my legal Friends to discuss. I would now say a word with regard to the inconsistency alleged to exist between what I stated on the day before the Recess, and the step which I was aware was about to be taken. The House will remember that I was asked, whether there had been any change in the policy of Her Majesty's Government, and whether any fresh cause of anxiety had arisen? In reply, I stated, and stated with perfect truth, that there had been no change in the policy of Her Majesty's Government, and that there was no fresh cause for anxiety. The policy of Her Majesty's Government, as we have declared over and over again, is to endeavour to bring about a peaceful and satisfactory settlement of the grave questions that have been raised, and at the time Parliament rose we did not see —as, indeed, we do not see now—any reason whatever for thinking such a settlement less probable than we had previously thought it. On the other hand, we never disguised from the House or the country, from the first, that we might be disappointed in our hopes, and that we thought it right, in the general interests of the Empire, to adopt certain measures of precaution. The sending of troops from India to Malta is one of those measures. I may add, also, that on the eve of the Recess I spoke more particularly with reference to rumours which had been going about, and which had attracted the attention of hon. Members of this House and elsewhere, as to complications and unsatisfactory proceedings which made us appear to be in a less satisfactory position for the business in which we were engaged. I said, in reference to that, that there was nothing which made the situation less favourable, or that gave increased cause for the alarm that had previously existed. I stated, at the same time, that Her Majesty's Government did not conceal from themselves that the situation was an anxious one. That, I believe, was a perfectly legitimate, frank, and satisfactory statement. It was far from our wish to conceal anything which we thought might properly be made known, and certainly there was nothing further from my intention, or from the intention of the Government, than to deceive the House. I hope we may not require to go further into this discussion at the present time; but I quite feel that it will be within the province of the House, and will be the duty of the House, to discuss these matters when the Estimate I have referred to is produced.

MR. LAING said, he did not wish to protract the debate after the promise of the Chancellor of the Exchequer to give an early day for the consideration of the question. Speaking from an Indian point of view, he should like to challenge the statement of the Chancellor of the Exchequer, that this was a question of no more importance than bringing a brigade of troops from Gibraltar to Malta. [The CHANCELLOR of the EXCHEQUER: I did not say so.] He did not dispute that it was competent for the Crown to order a brigade from India to Malta, just as British troops were ordered to Malta, or to any other point; but, speaking upon the strength of Indian experience, he did say that this was a question fraught with most momentous issues. It was the first step towards the reversal of maxims of policy that had been acted upon by the great statesman who had had charge of Indian affairs since the Mutiny. He would not be justified in relying on his own authority, but he took that of Lord Canning—with whom he (Mr. Laing), as Finance Minister, was instrumental in reducing the Native Army of India from 300,000 to 125,000 men—one whose maxim was that it should be laid down as an axiom for the Government in India that the Indian troops should not be removed from that country. In India, danger was from within, and not from without. He did not deny that our Indian Forces were perfectly loyal and ready to go on foreign service. The danger was not from any active disloyalty; but there was a great variety of races in India, who were liable to be swayed by feelings with which we could only be imperfectly acquainted; and the old regimental system, under which European officers were, so to speak, the fathers of the regiments, having been practically broken up, it behoved us to maintain a very firm hold on India in a military sense. Now, our hold on India, he contended, would be seriously endangered, if we removed our Indian troops from the garrison duty they were performing, and transformed them into a powerful Army, with a martial and roving spirit. A much larger number of European officers would be required to keep them in check than at present, and the strength of our European Army in India would also have to be increased, so as not to tempt the Native troops to rise against us by allowing them to feel that they were stronger than we. The result would be an enormous increase in the financial burdens of India. He must condemn the step which the Government had taken. Was it not a farce, that the House of Commons, who were taken into the Councils of the Government on all questions of finance and taxation, on a question of this kind of vital importance, and adverse to precedent, should be totally ignored, and should be told that this was a step the Government took on their own authority six weeks or two months ago, and did not think it worth while to mention it to the House?

SIR JOHN HAY said, it had been stated by three hon. Members opposite who had addressed the House—namely, the Members for Hackney, Orkney, and Kirkcaldy—that the employment of Indian troops out of India was a matter fraught with danger to Indian finance. [Mr. FAWCETT: I said in Europe.] Well, geographically, Malta might be said to be not in Europe, but in Africa. As the hon. Member for Hackney so limited his observations, he should address himself to the remarks of the other two hon. Members. Indian troops had been employed in both the China Wars—in one China War since the Indian Mutiny. They had also been employed in Abyssinia, and a Vote of Credit was taken for £2,000,000 for the purpose of conducting the Expedition to that country. The expenses of their employment were then, as they were proposed to be now, borne out of the Imperial Exchequer. Again, they were employed in Persia. So that it was altogether erroneous to speak of the present step as being an experiment, or as being one for which there was no precedent. When the matter came to be more fully discussed, it would be seen that it was not an experiment, but a step which, when taken on former occasions, had proved of the greatest possible advantage. The Army of the Queen had been gallantly aided by the Army of the Empress of India. They had fought side by side on many fields, and he believed that the course adopted by Her Majesty's Government would show that they were prepared to put forth the full strength of the Empire, should the occasion arise for doing so.

MR. NEWDEGATE regarded the question raised by the hon. Member for Hackney (Mr. Fawcett) as being a good deal more than a mere matter of punctilio. The Abyssinian War had been referred to; but, at the commencement of that war, it was perfectly understood by the House that Indian troops were to be employed—that fact was known when the Vote of Credit was asked for. But, on the present occasion, the House had not the slightest conception, when the Vote of £6,000,000 was asked for, that such a course as that referred to was about to be adopted. It might be right that Her Majesty should employ her Indian Forces in the manner proposed; but why, he asked, was the Imperial Parliament not to be informed of the fact? For his part, he should much have preferred, under the circumstances, that the Government had employed mercenary rather than Indian troops. Let the House look at the position in which it stood. The House ought to consider the effect of the acts it had passed for the government of India, for the regulation of the Indian Army, and for the adoption by Her Majesty of the title of Empress of India. There were not wanting writers of authority, who declared that the House of Commons must be prepared to abdicate many of its functions. Statements to that effect appeared in periodicals of much influence, and he trusted the House would take care that its internal difficulties were not used to prove its incompetency, and to beware lest a belief in its incompetency might not be used to deprive it of the active exercise of that Constitutional control, which appeared to be imperilled by this step—not so much by the step itself as by the reticence of Her Majesty's Government. Her Majesty's Ministers said that these military preparations were measures of precaution. If that were so, why should Her Majesty's Ministers not have consulted that House previous to the adoption of the measure? The Government, it appeared, had made up their minds some time since to use the Vote of Credit for this purpose. ["No, no!"] Perhaps, then, the Vote of Credit was exhausted; and, if so, why had they not proposed their measure and produced their Estimate before the step was taken? It was, he thought, one which the House would do well to view with Constitutional jealousy.

MR. RYLANDS wished to express his thanks to the hon. Member for North Warwickshire (Mr. Newdegate), for showing them on the opposite side of the House that there was one hon. Member on the Conservative side of the House who was prepared to maintain the rights of the House of Commons. He was not then going into the points which had been adverted to by the hon. Member for Kirkcaldy (Sir George Campbell); because, although not unimportant, they were comparatively small points. The main question was, whether the Government were treating the House in a fair and right spirit in the course they had taken on the question? The Chancellor of the Exchequer had complained that the right hon. Member for Birmingham (Mr. John Bright) had charged him with deceiving the House by the statement he (the Chancellor of the Exchequer) made before the House separated for the Holidays, nor did he wonder that the right hon. Gentleman should feel inclined to resent such an imputation. He (Mr. Rylands) did not, however, suppose his right hon. Friend intended to charge the right hon. Gentleman with intentionally deceiving the House. But, at the same time, he must tell the right hon. Gentleman, that throughout the country, and not merely amongst hon. Members of that House, when the announcement was made that Indian troops were about to be brought to Europe, there was an impression that the Government had been guilty of a *suppressio veri*, and that they had not acted frankly in permitting the House to separate under the impression that no step of an unprecedented character was likely to be taken. The right hon. Gentleman, in the speech he made before the House rose for the Recess, assured the House that, if any matter of importance occurred that could be communicated, care should be taken to place the House and the country in possession of it. How, in the face of such a statement, could the House imagine that the Government had already given orders to send Indian troops to Malta? He thought, therefore, they had a right to complain that they had been allowed to separate for the Holidays under an impression that was absolutely, though he would not say intentionally, false. The Government had, indeed, he was sorry to say, adopted the custom of using language in what might be called a non-natural sense, and had, in consequence, misled the House. On more than one former occasion, statements had been made from the front bench which had subsequently turned out not to be accurate. He did not accuse them of intentional falsehood, but of using language liable to misapprehension. When, for instance, the Vote of Credit of £6,000,000 was taken, the House was told that little or none of it would be spent; that it was, in fact, only wanted as an expression of the Confidence of the House of Commons. And yet they knew that as soon as Government got the Vote, they proceeded to spend it as fast as possible. The right hon. Gentleman said, very truly, that it was not out of the Vote of Credit that these troops were to be maintained. But that did not improve the situation. The right hon. Gentleman the Secretary of State for War, when he introduced the Army Estimates at the commencement of the Session, proposed that a certain number of men —135,452—should be engaged in the service of the country. That was the proposal submitted to the House. They had then to consider whether that number of troops was a right one to maintain for the defence of the Empire, and whether they would be justified in voting the necessary taxes to maintain such an Army. But the Secretary of State for War never gave them an idea that behind and beyond these 135,452 men he had the decision of the Cabinet in his pocket to supplement the Army voted by the House of Commons with another Army from India. He ventured to say that there was a grave Constitutional question involved, and that the House would be placed in a humiliating position if, after they had considered what number of men were required for the service of the country, they were liable to see them supplemented by an Indian Army. It certainly seemed to him that even if the course adopted by the Government was not illegal, it was contrary to the spirit of the Mutiny Act, according to which the number of men voted by Parliament ought not to be exceeded without the consent of Parliament. It was a mere subterfuge to say that the Government should be allowed to bring additional men from India without obtaining the previous consent of Parliament. He supposed that they would have another opportunity of entering more fully into the question, and of discussing it under its larger aspects; but he could not even then help saying that he doubted whether, even as a matter of public policy, there was not a serious risk in the course the Government had adopted. He had, at all events, thought it right on that, the earliest occasion which offered, to join in the protest which had been made by his hon. Friend against the course they had adopted as one inconsistent with the rights and privileges of Parliament.

Mr. BAILLIE COCHRANE said, he entirely differed from the opinions which had been expressed by the hon. Members opposite. He thought it was a most fortunate circumstance that the Government had ordered the troops from India, because it had shown that a noble spirit animated the Indian Army. There could now be no doubt what the feeling of that Army was. The hon. Members complained that the Government had not informed the House of its intentions in this respect; but they knew that if hon. Members opposite had been informed of those intentions, they would have taken objection to the employment of the Indian troops. He deeply regretted that when the Government were placed in a most difficult position, and when the most important negotiations were in progress, that both out of the House and inside of it, these debates should be raised, the effect of which would be to trammel the hands of the Government and lead Russia to think that the Government had not the support of the country in their policy. He considered the course which was being taken on the Opposition side was most unpatriotic. He could not comprehend the object of hon. Members, night after night, coming down and attacking the Government and then running away as if afraid of the sound they had made—not venturing to divide the House. If hon. Members opposite considered that the feelings they entertained were in harmony with the feelings of the country, then let them take a Vote of that House; but do not let them, night after night, raise, at this important crisis, debates which could only hamper the Government.

SIR ROBERT PEEL: Sir, I wish to say a few words on this matter. The discussion which has taken place may be very useful, but it certainly has been very prolix; and, as I listened to the speech of the hon. Member for Orkney (Mr. Laing), I must say I was surprised that nobody rose to call him to Order. When I listened to the hon. Member's glowing eulogium of Lord Canning, whom he spoke of as the greatest statesman that had ever lived, I could not help thinking that that eulogium reflected some credit upon the hon. Member himself, who was Finance Minister for India in Lord Canning's time. I well recollect that period, and I remember how the Government of the day was very glad to have the opportunity of recalling the hon. Gentleman to domestic life in this country; and I do not know whether that circumstance would lead us to believe he has been so successful, as his remarks would imply, as Financial Secretary to the most illustrious statesman England has ever produced. I certainly did not expect the hon. Member for Burnley (Mr. Rylands) to express his approval of the step in question, but I was sorry to hear him compliment my hon. Friend the Member for North Warwickshire (Mr. Newdegate) on his intention of going into the same Lobby with him. To hear a compliment from the hon. Member to my hon. Friend on such an occasion is rather distressing. What we want to see is every Member on this side of the House supporting Her Majesty's Government. I generally take an independent course myself, and I am conscious of the value of that course when taken by others; but this is a matter in which we should wish to see hon. Members acting in a unanimous and determined spirit in support of the Government. You may find fault with their policy if you please; you may canvass it if you can; but I am sorry to say my hon. Friend the Member for North Warwickshire complains of what he calls the reticence of the Government. Why, if there ever has been a Government for the last 20 years that has not been reticient, this is the Government. The hon. and learned Member for Oxford (Sir William Harcourt), to-night, speaking from the front Opposition bench, complimented the Government on the readiness it had always shown to communicate its intentions so far as was consistent with the public service. I wish to point out the grave mistake made by the hon. Member for North Warwickshire. He said that the Government, when it asked for the Vote of Credit, had no idea of bringing over troops from India. I do not suppose that the Vote of Credit had any reference to Indian troops. We know it had none. To-night, the Chancellor of the Exchequer has told us that he will move Supplementary Estimates for the purpose of defraying the expenses that may be incurred in this movement of troops; and the hon. and gallant Admiral has shown that this is no new action—this movement of Indian troops. They were employed in Abyssinia, and they have been employed in China; and now they are being brought into, probably European waters, for the purpose of any emergency for which they may be required. Now, I cannot conceive, except in a spirit of faction, anybody setting out his belief that this is an un-Constitutional measure on the part of Government in endeavouring to employ for the service of the State Indian troops. Surely, if these troops are available for the defence of this great Empire, it cannot be wrong that they should be employed on this occasion? Great emergencies may arise. The Government is anxious to have at their disposal a Force which will relieve the strain upon England without increasing the strain elsewhere, and I cannot see the slightest objection to the course which the Government have thought proper to pursue. Of course, on a subsequent occasion, we shall have an opportunity of discussing this question; but, in the meantime, I should be glad if it went forth to the country that the House of Commons, at all events, the Supporters of the Government, are firm in their determination to support the Government in the policy they are now following, and which they have continued to follow since the resignation of Lord Derby. I am thoroughly convinced we shall only be doing right in supporting the Government in that policy, and by every means in our power within these walls endeavouring to give them that cordial support which I believe their policy fully justifies them in expecting at the hands of the House.

MR. E. JENKINS said, that the right hon. Baronet the Member for Tamworth (Sir Robert Peel) had complained of all those who had taken the opportunity of raising that question in the House—and, not only that, but the right hon. Baronet had proceeded to bully the only independent Member on the other side of the House who had risen to protest against the action of Her Majesty's Government. It was all very well for the right hon. Baronet to shake hands with the hon. Member as a public testimony of private and personal friendship; but it nevertheless remained before the House, and would go forth to the country, that the hon. Member for North Warwickshire was not able to get up and make some remarks criticizing the action of the Government without another hon. Member rising and protesting against the want of unanimity that had been exhibited. He might say, incidentally, that a pressure was put upon the hon. Member by such conduct as that, which was very dangerous in its effect. But he wished to say a word or two upon the propriety of continuing the discussion. Now, the right hon. Baronet, in endeavouring to apologize for the reticence of the Government, said that it would have been premature to have made the announcement before the troops were ready to move; and he said that one of the things that would have been in question would have been the difficulty of getting the transport service at anything like a cheap rate. Now, every shipowner in that House was aware that the Government had paid twice as much as they would have had to pay if they had announced it to the country. He rather fancied that their excuses would be found to be no more satisfactory. But what had caused his hon. Friend the Member for Hackney (Mr. Fawcett) to get up and protest against the action of the Government was that, for all they knew, probably orders had gone to India for the despatch of 10,000, 20,000, or 25,000 more of these troops to Malta. They wanted to know whether that was the case? and, when he said to Malta, he was reminded that they did not know whither in reality these troops were to be sent. He saw the Home Secretary in his place. Would he tell them where these troops were to go to? The Chancellor of the Exchequer said it was merely a movement of troops from one part of the Empire to the other; but where was it to? Was it to Aden, or Suez, or were they going to occupy Egypt? They were entitled to know. What he complained of was that they had been kept from the beginning of this business in the dark. They were going through a long, narrow, and tortuous way, and they did not know where they were to emerge. He, for one, and he believed others in the House, thought the time had come when they were entitled to ask the Government what was its policy. The Chancellor of the Exchequer had told them that it remained the same, and that now their policy was to endeavour to bring about a peaceful settlement. But who believed that? The right hon. Gentleman, in the ensuing debates, might appeal to European opinion as generally supporting the policy of Her Majesty's Government. But why did the French, the German, and the Italian papers support Her Majesty's Government? Not at all because its policy was a policy of peace, but that it was a policy of menace and of war; because it was an attempt on the part of Her Majesty's Government to bring Russia's nose to the grindstone, or to force her into a long and enfeebling war, which would weaken her for generations. They were entitled to know what was proposed to be done with these Indian troops, and what were the Constitutional grounds upon which this step was to be defended. It might be true, as the Chancellor of the Exchequer had said, that the Government were within their technical right in this act; but he would ask whether it was always right to carry technicalities to extremes? In a free nation like theirs, looking to the jealousy with which any extreme action on the part of the Monarchy was regarded, the Government might take upon itself to push the limits of Constitutionalism too far; and to advise the Crown to push its technical rights to the very verge of un-Constitutionalism was a very serious step, and might do that which would, by-and-by, shake the stability of the Throne itself.

MR. FAWCETT said, there was one observation of the right hon. Baronet opposite with which he was in cordial agreement. He said they all knew the opinion of the country. Considering what had recently happened in the borough with which the right hon. Baronet was most intimately connected (Tamworth), he should say that nobody did know the opinion of the country better than the right hon. Baronet did. The hon. Member for the Isle of Wight (Mr. Baillie Cochrane) said they liked debates, but not divisions. The reverse was just as true of the other side of the House; but he assured them that they should have a division in this case. They would be altogether false to the principles they were sent to that House to represent, if they did not by their votes protest against the claim of the Government to have a right to bring an indefinite number of troops into England without consulting Parliament; and, therefore, if a Resolution were not brought forward by someone of higher authority, he should move one himself. But a division on the adjournment would not be a fair way of testing the question, and, therefore, for the present, he would withdraw his Motion. As the third reading of the Customs and Inland Revenue Bill came on that evening, he wished to know how the right hon. Gentleman proposed to provide out of the Ways and Means of the present year for the expense consequent upon withdrawing these troops from India? Was the necessary expense to be met by a fresh loan or by additional taxation?

Motion, by leave, *withdrawn.*

WAYS AND MEANS—THE DOG TAX.

QUESTION.

MR. THOMSON HANKEY asked the Chancellor of the Exchequer, Whether dog licences taken out at the beginning of next year, at 7*s.* 6*d.* each, would expire in the June following, as he thought such was the interpretation of the Act?

THE CHANCELLOR OF THE EXCHEQUER said, he understood that the dog licences would be issued for the usual year, as heretofore; those taken out before the 1st of June would hold good for the year, and those taken out after the 1st of June would hold good for the remainder of the current year—namely, till 31st December. He believed that would be the case, but he would look into the Bill for the purpose of ascertaining the fact.

PARLIAMENT—PUBLIC BUSINESS.

QUESTION.

THE MARQUESS OF HARTINGTON asked Mr. Chancellor of the Exchequer, What Business would be taken on Thursday?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that on Thursday the Government proposed to go on with the Civil Service Estimates.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PUBLIC BUILDINGS AND OFFICES—REPORT OF THE COMMITTEE.

OBSERVATIONS.

MR. BAILLIE COCHRANE rose to call the attention of the House to the Report of the Select Committee on Public Buildings and Offices, and especially to the evidence given by the late Secretary of State for War, who pronounced the present accommodation of the War Department to be a scandal to the country, and said that whatever was to be done ought to be begun this year; and also to the concluding paragraph of the Report—

> "Your Committee cannot too strongly insist on the expediency of the Government losing no time in proposing some plan by which the evils complained of may be remedied. It is their opinion that delay will lead to greater expense in the future, and that immediate action is demanded for the efficiency and comfort of the Public Departments and for the dignity of the country."

The hon. Member said, that, in his opinion, the £6,000,000 necessary to carry out the proposed improvements ought to be asked for; especially as the French Chamber had last year voted £5,000,000, and the Municipality of Paris £2,000,000, to carry out the improvements they thought necessary in their own capital. It was a most important question, and ought to be dealt with at once, as some of the offices were not in so satisfactory a condition as the public offices of a great country like England ought to be.

The CHANCELLOR of the EXCHEQUER admitted that, in many respects, this was an important question. Irrespective of considerations of taste, it was necessary that the best arrangement should be come to for the accommodation of the Public Departments, some of which were in a very unsatisfactory condition. His hon. Friend had paid much attention to the subject, and the Committee had made various suggestions, which deserved consideration. At the same time, he was bound to look at the matter in more points of view than one, and especially to take into consideration the question of economy. It was not alone for him to consider what was really a reasonable amount that the Government should be called upon to expend upon the work. Many questions were raised occasionally with respect to the reconstruction of public offices which did not fall properly within the province of the Government. At the same time, he agreed that time ought not to be lost for carrying through some further arrangements for the improvement of the War Office and the Admiralty, which were the two Departments requiring better accommodation. At present, the War Office was housed in several buildings, which had not been constructed with a view to the convenience of the Department. At the same time, a good deal had been done lately to mitigate the inconveniences under which that Office had suffered. With regard to the Admiralty, there was another difficulty. The object was to avoid two movements, which would be involved in turning the Department out of the present building, and, when the new one was completed, bringing it back again. At the present moment, he was in communication with his right hon. Friends the Secretary of State for War and the First Lord of the Admiralty; and he was not without hope that he might be able, before the end of the Session, to make a statement on this subject, which, he admitted, could not be postponed indefinitely.

CUSTOMS AND INLAND REVENUE BILL.

QUESTION.

Mr. DODSON said, that in consequence of the announcement made to-night, that there would be a Supplementary Estimate presented to the House for the expense of conveying the Indian troops to Europe, there appeared to be a desire on the part of several hon. Members, before the Budget Bill passed away from the House, to offer some observations upon it; and he, therefore, rose to ask the right hon. Gentleman the Chancellor of the Exchequer, Whether he would suspend proceeding in Committee of Supply in order to bring on the Customs and Inland Revenue Bill, at an hour which would give hon. Gentlemen an opportunity of making remarks upon it.

The CHANCELLOR of the EXCHEQUER expressed his willingness to make an arrangement which might meet the wishes of the House. He would also like to have an opportunity of considering the point which had been raised by the hon. Member for Peterborough (Mr. Thomson Hankey); and, if he found anything in it which might render it necessary to give more time for the discussion of the Bill, perhaps it would be better to take the third reading on Thursday. However, for the present, he suggested that if, when the Bill was called on to-night, it was found that there was not time for a proper discussion, the third reading should stand adjourned to another day.

Question put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Class II.

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £37,292, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Offices of the House of Lords."

Sir ANDREW LUSK said, he thought the principle had been established last year, that the Gentleman who had charge of the Civil Service Estimates should give the Committee a general idea of the policy of the Government in framing those Estimates, by making a statement similar to those with which the Army and Navy Estimates were annually introduced.

SIR HENRY SELWIN-IBBETSON observed, that the question had been raised in the House during the present Session by the hon. Member for Rochester (Mr. Goldsmid), when his Predecessor in Office stated that, after careful consideration, it had not been thought worth while to continue to follow the course which was adopted last year. He thought the House had accepted that decision; and, therefore, he could not reverse it on the present occasion.

MR. PARNELL hoped that the suggested reform would be introduced even in a more extended form than was referred to by the hon. Baronet the Member for Finsbury. As matters at present stood, it was perfectly impossible for any hon. Member, who did not possess special information, to follow these Civil Service Estimates in the various items. He would venture to suggest to the Government that they should adopt the French system of having all the Estimates sifted by a Select Committee upstairs, before they were submitted to Parliament. By that means, a great deal of time would be saved; and, in his opinion, the Civil Service Estimates would be very materially cut down. It was true that the late Government was a Liberal and economical one, and that the present was supposed to be extravagant; but, in the face of a continued increase in the salaries of a department like the officials of the House of Lords, they could not help seeing that there was a necessity for inquiry and reform. The House of Lords was not distinguished for the large number of hours it sat, and it would follow, of course, that the officials of that House, for whom the present Vote provided, could not be very much overburdened with work. The time during which the officials of the House of Lords were engaged was usually about an hour and a-half, while the officials, of the House of Commons worked on an average five hours. The work done was of an infinitesimal character, and he believed large sums were paid to officers for doing almost nothing. He would, therefore, suggest to the hon. Member who was responsible for the appropriation of the Vote, whether those expenses could not be in some way reduced. In the present year, the Estimate for the House of Lords' Offices was £44,692, while last year the Vote was for £45,553. That was a decrease of £861, and was so far satisfactory; but if they were to compare the total amount of the Vote for the House of Lords' Offices with the Vote for the House of Commons' Offices, they would see that nearly the same sum was paid for a very much less quantity of work. They would find that the House of Lords' Offices cost only £6,000 less than the House of Commons—the figures being £44,692 to £50,207. When these large sums were paid away, year after year, the country had a right to expect some sort of ratio between the amount paid and the return for the money. It was true that the House of Lords was a very beautiful place, and that two or three times during the Session very eloquent speeches were made; but, except as an ancient relic of antiquity, it was admitted on all hands to have no functions at all. As a matter of pounds, shillings, and pence, in the taxation of the country, the Government should begin with the House of Lords, and endeavour to put down, so far as possible, the expenditure of this particular branch.

SIR GEORGE BOWYER would not follow the hon. Gentleman the Member for Meath (Mr. Parnell) in the criticisms in which he had indulged, for he thought that it was extremely inconvenient—as well to criticize the Offices of the House of Lords as to make reflection on the House itself. He did not consider it wise for one House to treat the other in such a manner, and he hoped the hon. Member would not persevere in the course he had taken.

SIR HENRY SELWIN-IBBETSON would remind the hon. Member for Meath (Mr. Parnell) that some time ago, when the House of Lords abandoned their Fee Fund, a Committee was appointed to consider the question of the salaries of all the officials of the House of Lords. Upon the Report of that Committee the Vote was fixed, and the Treasury did nothing further than follow the course suggested by that Committee.

Sir ANDREW LUSK thought the expenses of the House of Lords very great; and, without finding any fault with that body, he was of opinion that those expenses might be considerably reduced. Considering the short period the House of Lords usually sat, the expenses were really disproportionate and enormous. That House was a very dignified one, but it treated the Speaker with but scant respect in compelling him to stand at its Bar amongst a crowd as if he were at the bar of a Police Court or a Court of Justice. Some alteration ought, he thought, to be made in that respect.

Mr. WHITWELL complained of the small accommodation afforded to Members of Parliament at the Bar of the House of Lords. The accommodation itself might not be much in fault; the evil rather arose from the fact, that when the House of Commons went up there, they usually found half the space which was said to be devoted to them taken up by persons who were not Members of the House of Commons.

Mr. O'CONNOR POWER agreed with what had been previously said, as to the advisability of having some explanatory statement given by the person in charge of each class of Estimate beforehand of items on which there appeared to be an increase. It would economize the time of the House if, at the outset, an explanation of the increased expenditure were given by the Government, especially as there were an immense number of items in which there was a large increase, rather than have such explanation given as each item came before the Committee.

Sir HENRY SELWIN-IBBETSON said, he would call attention to the fact that the net decrease of the Estimate for the year of Class II. amounted to £11,018. As to the increases in various items which struck hon. Members, his Predecessors had always been prepared to answer Questions and to give any explanation as to what seemed unusual. It was probable that, in many instances, the small increases arose from annual increments of salaries; and a little increase in the Estimates presented to Parliament was thus necessitated. Wherever any item struck hon. Members as an increase, he would endeavour to afford an explanation. He did not think the criticisms which the hon. Member for Meath (Mr. Parnell) had addressed to the Committee were justified.

The CHAIRMAN said, he would point out that the Civil Service Estimates were not voted as a whole. Therefore, any one particular Vote would come under discussion on its own merits.

Mr. DILLWYN thought it would very much facilitate hon. Members in understanding the Estimates, if a Return were made, showing what officials receiving salaries for one office also performed other duties. One of the Clerks of the Parliament, for instance, received £425 as Secretary of Presentations to the Lord Chancellor. At present, it was necessary to pick out the particular offices for which salaries were received from different portions of the Estimates. Thousands of pounds were paid in salaries to officers in one Department over and above what they received in another. Some of these cases might be right, but others might not. He did not want to particularize or be invidious; but he thought hon. Members should have an annual Return laid before them of all instances in the different Departments where more than one salary was paid to the same individual before they were called upon to vote.

Mr. HERMON quite agreed with the remarks just made. He noticed that one official was allowed £300 a-year for a house; in his opinion, it would be much better allowed to their Chairman, whose duties detained him so late at the House.

Sir HENRY SELWIN-IBBETSON said, that the Papers at present supplied showed the different amounts received by each official in every Department of the public service.

Mr. DILLWYN did not deny that the salaries received by every official were stated in the Estimates, but it was necessary to go through all the various offices to pick out the same individual. That labour would be saved by the Return he had suggested.

Mr. E. JENKINS wished to ask why a captain and lieutenant-colonel in the Grenadier Guards was allowed to be Secretary to the Lord Chamberlain, and at the same time to be in receipt of full pay? If it were half-pay, the same complaint might not arise. This was one of the many instances occurring in the Estimates where officers receiving full pay acted as Private Secretaries in Departments of the Government.

Sir HENRY SELWIN-IBBETSON would remind the hon. Member that the appointment mentioned rested with the Lord Chamberlain. If an officer could efficiently perform the duties, there was no reason why he should not give his services, or abandon the salary he received from another office.

Mr. BIGGAR did not know how this gentleman in question could perform his military duties in addition to those in the Lord Chamberlain's Office, for which he received £200 a-year. There was also in the Vote the salary for an Assistant Librarian of the House of Lords. It seemed to him singular that while the Librarian only got £810 a-year, the Assistant Librarian should get £800. The hon. Baronet the Secretary to the Treasury had remarked that these salaries had been allowed by the Committee on previous occasions; but he thought that was no reason for preventing a discussion now, and he would suggest that, in apportioning salaries, regard should be had to the work the gentlemen performed.

Mr. O'CONNOR POWER said, while the Assistant Librarian of the House of Lords had £800 a-year, the Assistant Librarian of the House of Commons only received £475 a-year. No one could compare the arduous duties which were performed by the Assistant Librarian of the House of Commons with those discharged by an official holding the same position in the House of Lords. Therefore, if they were to cut down excessive expenditure, it did occur to him that this was an instance in which they might try their hands. He could not conceive what work the Assistant Librarian of the House of Lords discharged which entitled him to so proportionately a large salary, when it was considered what work was done by a similar officer in the House of Commons for so much smaller an amount. The hon. Baronet the Secretary to the Treasury had said that, putting the increases against the decreases in the Vote, there was a decrease in the sum total. That might be so, but it was scarcely a satisfactory way of answering objections to the Vote. He knew that decreases had been shown; but, to take those decreases in full as an equivalent for the proposed increases elsewhere, was not a very fair proposal.

Mr. E. JENKINS said, in order to bring the question of the salary of the Lord Chamberlain's Secretary to a division, he would move that the Vote be reduced by £200. The hon. Baronet (Sir Henry Selwin-Ibbetson) had said the Lord Chamberlain had the right to appoint whom he pleased as his Secretary; but, surely the House of Commons had the right to say they would not recognize the appointment, or otherwise a person might be selected who would prove totally incompetent to fill the office. He thought—and he believed hon. Members would agree with him—that it was not a proper thing for a man to be appointed Secretary to the Lord Chamberlain who at the same time received emoluments from the offices of captain and lieutenant-colonel in the Grenadier Guards.

Motion made, and Question proposed,

"That a sum, not exceeding £37,092, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1879, for the Salaries and Expenses of the Offices of the House of Lords."—(*Mr. Edward Jenkins.*)

Mr. BULWER hoped that the hon. Member for Dundee would not put the Committee to the trouble of dividing, for no grounds had been adduced to show that the Secretary to the Lord Chamberlain did not perfectly well perform his duties. To say that a captain and lieutenant-colonel in the Guards had not leisure time in which to perform the duties of Secretary to the Lord Chamberlain was a very strong assertion indeed; for he was sure there was no one in the House, who knew what the duties of a captain and lieutenant-colonel in the Guards while stationed in London were, who would say that such a gallant officer had not time, quite consistently with his duties in his regiment, to properly carry out the work appertaining to the Secretary of the Lord Chamberlain. The officer in question had, as captain, the command of a company; but he had not, in addition, as the hon. Member for Cavan seemed to suppose, the command of a regiment also; nor was it at all necessary that he should be on parade from 8 in the morning to 11 at night.

Mr. DILLWYN said, it was perfectly clear that either the office of Secretary to the Lord Chamberlain, or that of captain and lieutenant-colonel in the Guards must be a sinecure; and he sincerely hoped the latter office—one in the British Army—was not the sinecure. One of the rumours, which had just been rife in the country, was that the Guards were to be immediately sent out to Malta. They had not yet been sent; but, assuming they were, one of the two things must happen—either that the Lord Chamberlain would lose his Secretary, or a company of the Grenadier Guards would be minus a commanding officer.

Sir HENRY SELWIN-IBBETSON said, it was hardly worth while prolonging the discussion. The salary of £200 a-year always attached to the office of Secretary to the Lord Chamberlain; and, if his Lordship was satisfied that this captain and lieutenant-colonel in the Guards could fulfil the duties required of him, the salary would be paid. The moment he ceased to give satisfaction, the Lord Chamberlain would replace him by someone else. The salary was fixed, and the question was, whether £200 a-year was a proper sum to pay the Secretary of the Lord Chamberlain?

Mr. WHITWELL had a very strong opinion that, to allow one individual to hold two or three offices, was a very unwise proceeding.

Mr. RAMSAY hoped the hon. Member for Dundee (Mr. E. Jenkins) would not press his Amendment. It had been explained that the salary of the Secretary to the Lord Chamberlain had been fixed; and, if the gallant officer, who now held that position, was unable to discharge his military duties, no doubt the Horse Guards would put a stop to his holding the office of Secretary. Seeing that it had not been proved that, by his holding the two offices, either Department suffered, he did not see how the House could refuse to vote the salary.

Mr. E. JENKINS said, he would not press his Amendment to a division; but, at the same time, he could not admit the remarks of the hon. Baronet (Sir Henry Selwin-Ibbetson) to be a satisfactory answer to the objections he had raised. The point before the Committee was a very clear one—namely, whether a captain and lieutenant-colonel in the Grenadier Guards could, in justice to the Service, spare time to become Secretary to the Lord Chamberlain. His own impression was, that the country would get on much better without either office.

Mr. BIGGAR could not see how a captain in the Guards could do his duty properly in his regiment, if, at the same time, he was Secretary to the Lord Chamberlain. They knew that during the Crimean War much was said about the ignorance of the British Army officers. The rank-and-file got a great deal of credit for their bravery and fighting qualities; but it was stated in the public Press, that the men were so badly officered that the real value and efficiency of the rank-and-file were lost. It had been said, that since then the British officers had greatly improved; but, when they found, as in this case, an officer neglecting his duty in his regiment to earn £200 a-year as Secretary to the Lord Chamberlain, he thought it might turn out that the Army was not much better officered now than on a former occasion. He thought the Government should give some explanation as to why they allowed this captain and lieutenant-colonel to hold a double appointment other than for the reason of enabling him to put some money in his pocket. He did not know who the Secretary to the Lord Chamberlain was—perhaps a relative of his Lordship's—but it was clear that he could not do his duty as a secretary, and as a military officer, too.

Sir ANDREW LUSK said, the hon. Baronet (Sir Henry Selwin-Ibbetson) had told them that, if the Lord Chamberlain was satisfied with his Secretary, the House of Commons could have nothing to say on the matter. He most emphatically protested against such a doctrine. The House of Commons had to pay the money, and hon. Members were, therefore, responsible for the work for which the money was paid being done. If the Lord Chamberlain paid the salary, then he would admit that the House could have nothing to say on the matter; but, as the House of Commons was responsible to the country for the expenditure of the money, it was the duty of hon. Members to see how it was spent.

Mr. PARNELL said, it appeared to him that the Government had made an arrangement with regard to the Vote by which Parliament, practically, had no control over it—and, in fact, they had been told by the hon. Baronet (Sir

Henry Selwin-Ibbetson), that they were not responsible for it. If Parliament had no control over the expenditure, still the responsibility of hon. Members remained; and though the hon. Member for Dundee (Mr. E. Jenkins) might be right in not dividing the House, they were bound to protest against such an expenditure. If they did not direct attention to these anomalies and sinecures, they would not be doing their duty. The fact of the matter was there were no duties attaching to the office of Secretary to the Lord Chamberlain. Anyone who read the items in the Vote must at once come to that conclusion. The Secretary to the Lord Chamberlain had £200 a-year; then the Attendance Clerk had £100 a-year. That, he supposed, was another sinecure office, and a Return as to how many times during the Session this Clerk was in attendance would, he thought, be a very interesting document. It was manifest that he was not required to attend any considerable number of days, or he would be paid a much larger salary. Then, they had a Superintendent of the Office. What could he do? Whether he superintended the Lord Chamberlain, or acted as his Secretary, while the gallant officer was performing his duties as a captain and lieutenant-colonel in the Grenadier Guards, or whether he had to look after things in general in the absence of the Lord Chamberlain and his Clerk, it was impossible to say. They could only see how the Vote was framed, and any sensible person on earth must admit that the whole thing was a sinecure. In fact, he believed the majority of the offices connected with the House of Lords were sinecures. Inasmuch as an arrangement had been entered into by the Government to pay these salaries while the House of Commons was held responsible for them, he begged to give Notice that next Session he should hold himself no longer responsible for the payments, and he should oppose the granting of that sum of money.

MR. DILLWYN desired to be informed, whether the Government could not lay such a Return as he had indicated before the House, in future, so that hon. Members could easily see what the salaries of the different offices were?

SIR HENRY SELWIN-IBBETSON did not see what advantage would be derived from adopting such a course.

MR. DILLWYN said, it would assist hon. Members to understand the Estimates.

Amendment, by leave, *withdrawn.*

MR. O'CONNOR POWER moved to reduce the salary of the Assistant Librarian of the House of Lords to £475 a-year, and decrease the Vote by £325. The sum of £475 was the salary of the Assistant Librarian of the House of Commons, and anybody who was acquainted with the length of the Sittings of the two Houses could easily see that the duties performed by the Assistant Librarian in the House of Lords were very light compared with those discharged by the Assistant Librarian of the House of Commons. The Members of the House of Lords did not number more than half of the Members of the House of Commons, and the hours they spent in the Library were proportionately small. Their Lordships came to their House for an hour or two, and then went away, and they were not the class of men to use the Library as the Members of the House of Commons used theirs. Their Lordships did not sit on Wednesdays, their Sittings generally were short, and the work of the officers in every department of their Lordships' House was proportionately small. Therefore, it was quite clear that either the salary given to the Assistant Librarian of the House of Commons was too small, or that given to the Assistant Librarian of the House of Lords was too large. The duties of First Librarian in the House of Commons seemed to be very fairly recognized, as a salary of £1,000 was assigned to him; and therefore he should have thought that the salary of the Assistant Librarian in the House of Commons would also have been adequate, considering the onerous duties he had to perform. But there was a great disparity in the salaries of the Librarian and Assistant Librarian of the House of Commons; for, whereas the first had £1,000 a-year, the second, who did most of the work, only had £475 a-year. He could not imagine that the Secretary to the Treasury had anything to say in justification of the enormous difference in the salaries of the Assistant Librarians of the House of Lords and House of Commons, and, therefore, he moved to reduce the Vote by £325.

Original Question again proposed.

Motion made, and Question proposed,

"That a sum, not exceeding £36,967, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1879, for the Salaries and Expenses of the Offices of the House of Lords."—(*Mr. O'Connor Power.*)

Mr. WHITWELL thought the question was one that should receive consideration. He found that the whole expenses of the Library of the House of Lords amounted to £1,710 per annum, while the expenses of the Library of the House of Commons were £1,900 per year—a difference of about £200. The Lords had two gentlemen in their Library about whose attendance and duties little or nothing was known. On the other hand, there were four gentlemen in the Library of the House of Commons whose duties all Members of that House appreciated and valued. They were kept about until early hours in the morning, and yet there was only a difference of £200 between the salaries of the four and of the two in the Library of the House of Lords. He did not think that was a proper state of things to exist, and he hoped the Secretary to the Treasury would consider the matter before another Session.

Mr. BIGGAR considered that the Government must do one of two things—either, on a future occasion, propose to reduce the salary of the Assistant Librarian of the House of Lords, or, in point of fairness, increase the salary of the Assistant Librarian in the House of Commons. It certainly was unfair that one set of officers should be so much more liberally treated than the other, and especially when they remembered the proportionate duties performed. He did not at present give any opinion, as to what extent, or whether or not any increase should be made to the salaries of the Librarians of the House of Commons; but, certainly, if they were not materially increased next Session, it would be the duty of the Committee then discussing the Vote to make a substantial reduction in the salaries given to the Librarians in the House of Lords. Members of the House of Commons came very much in contact with the officials of the Library of that House; they were treated by them with great civility; the officials did their duty most efficiently, and hon. Members would not be doing what was right, unless they induced the Government to raise the salaries of the Librarians in the House of Commons to the same amount as similar officers in the House of Lords received.

Mr. M'LAREN objected to a new grievance sought to be created on a matter of this kind, and suggested that the Vote should be allowed to pass.

Sir HENRY SELWIN-IBBETSON said, he was afraid that, owing to the short time he had been in Office, he had not explained the matter very intelligibly. Up to the year 1868-9, no such Votes as these appeared in the Estimates submitted to the House of Commons. All the salaries in the House of Lords were up to that time paid in fees received from suitors and other persons having business with the House of Lords. In 1868-9, a Committee of the Upper House was appointed to consider this matter, and they recommended that in future all fees should be paid into the Public Exchequer, and that the salaries, as arranged to be paid by the Committee, should be submitted in the Estimates, subject, of course, to a proper audit. Up to 1869, these salaries really never formed part of the Estimates at all, the question being dealt with entirely by the House of Lords itself. He must say he deprecated very much this comparison between the services performed by the Officers of one House and those of another.

Major NOLAN thought that, as an historical explanation of the manner in which these Votes came to be inserted in the Estimates, the hon. Baronet the Secretary to the Treasury had put the Committee in possession of the facts. The suitors who paid the fees were the constituents of hon. Members, and therefore they had a right to speak about them, and the whole argument of the hon. Baronet fell to the ground. These fees came from the taxpayers, and, consequently, the money ought to go into the National Exchequer, and then the House of Commons could deal with it. As to deprecating any comparison between the salaries of the respective officers of the two Houses, he could see no reason why one officer should be paid more than another. If the Officers of the House of Lords were to be paid more than those of the House of Commons, it would be equivalent to admitting that the House of Lords had pre-eminence over the House of Commons, and that they were more powerful in the State. He did not object to the Assistant Librarian of the other House receiving a larger salary than the corresponding officer in that House, provided it was given as the result of long and faithful services; but he objected to his being paid a higher salary merely because he was connected with the House of Lords. No one could be more attentive and obliging than the Librarians of the House of Commons. To young Members, especially, their services were of the greatest value. For the first three or four years in which he was a Member of that House, he should have lost, perhaps, half-an-hour every evening in searching for the information he wanted, if he had not been assisted by the Librarians, and that, sometimes, in matters in which they rather exceeded their duties than otherwise. He hoped that, unless the hon. Baronet could give them some further explanation, the hon. Member for Mayo (Mr. O'Connor Power) would insist upon going to a division, the Motion being merely to equalize the two salaries.

SIR GEORGE BOWYER said, he should remind hon. Members of the House of Commons who had spoken on this subject, that there was an extensive Law Library attached to the House of Lords for the Court of Appeal. The House of Lords sat as an Appeal Court in the day time, and, therefore, the Librarians had more work to perform in the House of Lords than the Librarians of the House of Commons, as they had to supply the books which were required. He regretted to hear hon. Members opposite talking about the Officers of the House of Lords in a manner which clearly showed that they did not know what their duties were. It was in his recollection that the duties of the Officers of the House of Lords had been carefully scrutinized several times by Committees of the House of Lords, and when the arrangement was made about the fees, there was no doubt it was done after full inquiry. In fact, the other House exercised a very ample supervision over its Officers. He thought that these criticisms upon the Officers of the other House, without any real knowledge of the matter, accompanied, as they were, by intimations that the House of Lords itself was not of very great use, were inconsonant with the dignity of the House of Commons; and, if such discussion were to continue, the other House might retaliate and criticize their proceedings in a similar spirit. At any rate, without any complaint to the contrary, it was only fair to suppose that the duties of the Officers of the House of Lords were performed in a proper manner.

MR. O'CLERY said, he did not intend to put himself in the position of trying to reduce the salaries of the Officers, because he did not consider they were excessive. But he wished to call attention to the fact that the salaries of the Officers of the House of Commons were far below those of the House of Lords, and below what they ought to be. He regretted that, while the salaries of the higher officials were constantly being increased, the small sums paid to the under officials, such as messengers, porters, fire-lighters, and men occupying similar positions, remained stationary. This class of men in the House of Lords received an average of £80 a-year, while those who did the same kind of work in the House of Commons, with, perhaps, five times the amount of labour, received only £58 10*s*. a-year, or 22*s*. 6*d*. a-week. It was hardly reasonable to expect that these men would continue to give up their time, almost day and night, for the pay of a labourer. He did not object to the payment of £80 a-year to the men who did the same kind of work in the House of Lords, and should be glad to see them receiving £100 a-year; but it was an anomaly that there should be this difference in the rate of wages paid to the servants of the respective Houses. He found that the messengers were paid 6*d*., 7*d*., 8*d*., or 9*d*. per journey—1*d*. more or less according to distance, and he thought that no employer of labour in that House would think of treating his *employés* in that way. He hoped the hon. Baronet (Sir Henry Selwin-Ibbetson) would give an intimation that he would take the case of these men into consideration, especially, considering the high price of food, and of living generally, as compared with the times when these salaries were fixed.

MR. DILLWYN said, the hon. and learned Baronet the Member for Wexford (Sir George Bowyer) had told them they did not understand the question. That was their grievance. They were called upon to vote public money, and they did not know what it was for. Neither the hon. Baronet the Secretary to the Treasury nor the hon. and learned Baronet the Member for Wexford had informed them that the money was fairly earned. Unless they received an assurance on that point, he should be bound to vote for the Amendment of the hon. Member for Mayo (Mr. O'Connor Power).

Mr. RYLANDS entirely dissented from the opinion expressed by the hon. Gentleman near him (Mr. O'Clery), who urged upon the Secretary to the Treasury that he objected to the salaries of the Officers of the House of Lords; but he stated that he only did so to point out the necessity for increasing the salaries of the Officers of the House of Commons. He did not wish to be parsimonious to the officials of either of the Houses of Parliament, so long as they performed their work; but he thought if they were well served by the persons who undertook to perform their duties for a fixed salary, it was not fair to press upon the Treasury to increase the emolument of those persons. He, therefore, opposed any such increase, and, indeed, he could not suppose for a moment that the hon. Baronet the Secretary to the Treasury would listen to such recommendations. But, perhaps, the hon. Baronet would give him his attention for a moment whilst he asked for a little information. He was quite aware that the salaries were formerly payable out of fees by the authority of the House of Lords; but that now salaries were paid, and the fees taken, by the Exchequer. The bargain was, that the Exchequer received the amount of the fees from the House of Lords, and out of those fees they paid a number of salaries. He supposed, when the bargain was made, there was reason to believe that after the salaries were paid, there would be a balance in favour of the Exchequer; but what was the fact? The Committee was now asked to Vote, as salaries, the sum of £44,692, and towards those salaries the Exchequer received certain estimated receipts in the form of fees. He presumed those fees were chiefly fees connected with the Private Bill Department. The Exchequer received from those fees, according to the Estimates, the sum of £30,000, so that, according to that statement, there was a loss to the Exchequer of something like £15,000 a-year. He could not think that this was really the case, and it was upon this point that he should like to have some explanation from the hon. Baronet the Secretary to the Treasury, as he thought the matter must admit of some explanation. That, however, appeared to be the case, according to the Estimates before the Committee; and if a satisfactory explanation could not be given, the House had made a bad bargain instead of a good one.

Mr. O'CONNOR POWER thought it a pity that the hon. and learned Baronet the Member for Wexford (Sir George Bowyer), who had taunted hon. Members with ignorance on this subject, should have sat down without enlightening his Colleagues to the smallest extent. Their object was to discover some principle upon which they could assent to a salary of £800 to the Assistant Librarian, and the only principle they could find was that the Lords, who apportioned the salary, were not responsible to the people who had to pay the money. But the Members of the House of Commons were responsible; and it was their bounden duty, which they could not shirk, to see that if public money was voted for public purposes, there should be an equivalent amount of work done for it. Reference had been made to the fees, but the hon. and gallant Member (Major Nolan) had clearly proved that these fees were paid by those whom the House of Commons represented. The hon. and learned Baronet the Member for Wexford seemed to think there was a great Constitutional principle at stake; but it was their first duty to watch the expenditure of public money. There would, as had been pointed out, be great inconvenience in making so large a reduction in the salary at so short a notice. It might be a question of children crying for bread, and that was really the only argument in which there was a certain amount of force. Looking, however, to the humble position he (Mr. O'Connor Power) occupied in the House, the only way he had of recording his protest against the Vote, was by joining the small—and, if they liked, odious—minority, the effect of which, at all events, would be to call attention to these indefensible charges. He might also speak of the salary which was assigned to the Sergeant-at-Arms in the other House. Would the hon. and learned Baronet the Member for Wexford tell them that the Sergeant-at-Arms was an indispensable functionary in cases of appeal, and that he must be there representing the Sword of Justice?

MR. BIGGAR considered that the officials of the House of Lords were overpaid as compared with similar officials in the House of Commons, and demurred to the proposition that, because the salaries were fixed by the House of Lords, this House had no right to alter them. All the House of Lords could do was to suggest the amount of the salaries, and it was for this House to confirm them, or set them aside.

MR. PARNELL thought the hon. and learned Baronet the Member for Wexford must be contemplating a speedy retirement to the House of Lords. Either the salary of the Under Librarian in the Lords was too high, or the salary of the Under Librarian to the House of Commons was too low. The hon. and learned Baronet had not, however, attempted to make out that it was too low, but had merely said he was not responsible for the Vote. He ventured humbly to suggest that he was responsible, and that as the Vote was in the Estimates, that he should be able to explain it. Up to 1868 these salaries were paid out of fees, which varied from £30,000 to £34,000, and when the House of Commons assumed the duty of providing them, it very naturally assumed that the fees would be sufficient. That was, however, by no means the fact, as the Vote had increased £11,000 since 1868, as the amount was formerly £8,000, while now it was £19,000. This showed that the Committee of the House of Lords had gone on adding to these salaries on the strength of the arrangement that had been come to. But what was the arrangement? Was the House of Commons pledged to vote any sum scheduled by this Committee of the Lords? That could not be, for the House of Commons could not deliberately give up its functions as custodian of the public purse in that manner. He should support the Amendment, and in future years would certainly call attention to the Vote.

MR. M'LAREN said, his impression was that the House of Lords formerly paid its officers from its fees, so far as they went, and then asked the Commons to vote the difference; and that £8,000 was the amount of the difference in the year referred to. Of course, when the House of Commons took over the fees, there was an apparent increase; but it was merely apparent, and the House would find, he thought, upon examining the matter, that there had been no increase, or, that if there had been one, it was of a very trifling character.

MR. MELLOR observed, that there had been a great change in the amount voted in this class. He found that in 1869 a reduction was made of £17,718. In 1870 there was a change of policy, and an increase of more than £18,000; in 1870-71, there was an increase of £176,469; in 1871-2, "emoluments and salaries" again increased £97,431; in 1872-3, they again increased by £253,576; and in 1873-4 the increase was £125,520. ["No, no!"] Well, he could only say that these figures were quoted from annual Returns printed and published under statutory obligations, and therefore they must be correct. He repeated them, and the House must see that the Liberal Party were as deep in the pitch as the present Government. In 1875, the increase was £199,776; and in 1876-7, the amount was £138,480; making altogether a difference between 1868-9 and 1876-7 in salaries, emoluments, and expenses in Class 2 of £1,000,000 sterling per annum. It was time, in his opinion, that the House of Commons should find some means of checking this extravagance.

SIR HENRY SELWIN-IBBETSON said, the facts were as the hon. Member for Edinburgh (Mr. M'Laren) had said. Up till 1868, the House of Commons was only asked to vote what was needed for the salaries, after the fee fund had been exhausted. In 1868, an arrangement was made, by which, in future, the amounts were to be passed through the Exchequer, and the House of Commons voted the whole of the salaries. He must remind the Committee that the House of Lords was a Court of Record, and, as such, was competent to fix its own fees.

MR. BIGGAR asked why the salary of the Assistant Librarian had been raised from £700 to £800?

SIR HENRY SELWIN-IBBETSON said, the salaries were outside the knowledge and cognizance of the Treasury, They were fixed by a Committee appointed for the purpose by the House of Lords, and they sent them to the Audit Office, which transmitted them to the Treasury.

Mr. M'LAREN said, the hon. Baronet had fallen into an error in supposing that the fees collected by the House of Lords came mainly from the fees paid to it as a Court of Record. These formed but a trifling part of its revenue, the main part being derived from the fees on Private Bills.

Major NOLAN pointed out that there was no Committee in the House of Commons possessing powers similar to those now enjoyed by the Lords, and he thought the Committee of the Lords should not have that power.

Question put.

The Committee *divided*:—Ayes 18; Noes 72: Majority 54.—(Div. List, No. 109.)

Original Question again proposed.

Mr. BIGGAR observed, that the salary of this Assistant Librarian was £700 last year, and he would move that it be not farther increased. He thought such an increase should be submitted to the Treasury. Why a mere Committee of the House of Lords should have more power than the whole House of Commons he could not see; and, therefore, he moved that the Vote be reduced by £100.

Motion made, and Question proposed,

"That a sum, not exceeding £37,192, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Offices of the House of Lords."—(*Mr. Biggar.*)

Sir ANDREW LUSK wanted to say only one or two words to justify himself for what he had said some time ago. He had said it was well that this House and the House of Lords should appear well before the public to justify the salaries received. In consequence, the noble Lord the First Minister of the Crown had made a speech, which would be found in *The Times* for the 5th March. And he had mentioned that the House of Lords had sat 93 days last year; on 49, Business had been over by 6; on 41, the House had risen between 6 and 9; and on three more days they had sat beyond 9 o'clock. According to that statement of the noble Lord, they ought to be careful how they were to justify themselves before the public for paying such an enormous sum for what was nothing at all, compared with the work of the Lower House.

Mr. DILLWYN hoped to have some explanation of the increase from £700 to £800, which could hardly be the regular annual increment. Was there some special reason for it? They did not wish to prevent proper salaries being paid; but it was an exceptionally large increase. He suggested that his hon. Friend should move, as an Amendment, that the Vote should be postponed.

Sir HENRY SELWIN-IBBETSON said, the Treasury had never been aware of the rate at which the salaries had been arranged to be paid. They were, practically, arranged entirely by the House of Lords, dealing with the officials of their House. And, up to a certain date, they had always been arranged without any Vote being placed before the House of Commons at all, excepting the Vote of a limited sum to make up a deficiency. But, at the suggestion of the Treasury, in 1868 or 1869, a new arrangement had been made, by which an Estimate was placed in its present form before the House of Commons. The salaries were arranged and decided on by a Committee of the House of Lords; but the fee fund had passed over, in its entirety, to the Exchequer. They had never had, on any previous occasion, any inclination to dispute the Vote. He could find no trace of any. The original salaries had been fixed under the 7 *Geo.* III. c. 11, until the arrangement had taken place.

Mr. DILLWYN had never seen such a large increase. They were not to give blindly whatever the House of Lords fixed. He only asked to know the reason of the increase?

Mr. E. JENKINS said, that the House was placed in a position of some difficulty. It might be a grave Constitutional question whether the House of Lords ought not to have the entire control over its own officials. On the other hand, they had the fact that the Votes were put on their Estimates, which fact they could not ignore and escape responsibility in voting. He suggested, that for this year the question should be postponed, and raised next year, after consideration. There was not a shadow of doubt that the House of Lords could not come, cap in hand, for the salaries of its officials without allowing the House of Commons to consider whether it was proper to vote them.

MR. O'SHAUGHNESSY said, that if it had been a much smaller sum than £100, it would have been open to criticism. He understood that the fees received were not enough, and that was the reason of asking an increase in the salary to £800, which seemed to many hon. Members a very large and exorbitant sum. What view were they to take? The fees received by the House of Lords were to keep down the expenses, and to pay the expenses of litigation and of the suitors to that House. They should consider them just as they would fees received by any other Court, and consider the question apart. At page 71 of the Estimates, it appeared that the Assistant Librarian of the House of Commons had an actual salary of £475, while the Assistant Librarian of the House of Lords got £700 or £800 for duties which were discharged in a much shorter time.

MR. GORST wished to ask who had recommended the increase? Had the House of Lords, in any shape or way, approved of it? If it had, he should, that House being a branch of the Legislature, be disposed, at all events for that year, to allow the increase to pass. If it had been approved by a Committee only of the House of Lords, he should like to know the constitution of that Committee, and whether the Report had ever been approved by the House itself? If the Committee alone had recommended the increase to the Treasury, and that recommendation had never been assented to by the House of Lords itself, he did not think they ought to pass it.

SIR HENRY SELWIN-IBBETSON said, the matter was managed by a Committee of Peers appointed for the coming year. Their Report was submitted in the ordinary manner, and it came from the House of Lords into the Estimates.

MR. DILLWYN observed, that it had not been confirmed by the House of Lords as a whole.

MR. SULLIVAN said, that the explanation of the hon. Baronet was very alarming, because it showed a doctrine which no writer on English Constitutional Law had ever discovered—that the House of Commons must, as a whole, vote public money, but a Committee of the House of Lords could exercise functions which no Committee of the House of Commons dared attempt to exercise. He respectfully challenged the whole transaction; he did not care whether it was a matter of 800 pence or £800. He asked the Committee not to think it a matter of bagatelle at all. He had a very high opinion of the Assistant Librarian in the House of Commons, and either that gentleman was shamefully underpaid, or the gentleman in the House of Lords with double the salary should be doubly as good a man, which he did not believe. He should certainly refuse to support by his vote the increase asked for.

SIR HENRY SELWIN-IBBETSON said, the Act of 9 and 10 *Vict.* c. 77, s. 3, contained the following provision:—

> "An Estimate shall annually be prepared by the Clerk of the House, the Serjeant-at-Arms, and the Speaker's Secretary respectively of the sums which will probably be required in their several Departments for the payment of salaries, allowances, and contingent expenses, during the year ending on the 1st day of April in the following year; and such Estimates shall be submitted to the Speaker for his approbation, and subject to such approbation and to such alterations as the Speaker shall consider proper, shall be embodied, together with an Estimate of the sums which will be required for the payment of retired allowances and compensation for loss of office, in one Estimate; and there shall also be prepared under the direction of the Speaker an Estimate of the money which will probably remain in the hands of the Commissioners after the payments of the current Quarter ending on the 1st day of April, and of the fees expected to be received during the then Session, and of any sum which may be required to be provided by Parliament, in addition to such sums for the payments set forth in the said Estimate of expenditure; and such Estimates, signed by the Speaker, shall be transmitted by him to the Commissioners of Her Majesty's Treasury for their approval, and shall be laid before the House of Commons with the other Estimates."

He observed that a Committee was appointed annually to settle the salaries of the Officers of the House of Lords.

MR. SULLIVAN said, the Estimate referred to in the Act of Parliament was laid before this House—which, consequently, had an opportunity of reviewing it; whereas this House had no opportunity of exercising control over what was done by the Committee of the House of Lords.

Mr. GORST understood that, according to the statement of the Secretary to the Treasury, neither branch of the Legislature had any control in this matter, for this House was asked to pass the Vote on faith; and, of course, the House of Lords could not alter a Money Bill. Consequently, neither House could exercise any control as to this salary, which would be regulated by an irresponsible Committee of the House of Lords.

Mr. PARNELL asked what would be thought if, when this Estimate was brought before the House, an hon. Member should rise in his place and tell the Secretary to the Treasury that he knew nothing about it, and that the Committee of the other House was responsible for it? The hon. Baronet the Secretary to the Treasury had told them that the House of Lords was responsible for this Vote, and that he was not responsible. He had quoted the Act of 9 & 10 *Vict.*, which assigned certain duties to a Committee consisting of the Clerk of the House, the Serjeant-at-Arms, and the Speaker's Secretary, and had argued that that was a case analogous to the present. There could be no doubt that the arrangement made between the two Houses in 1868 was entered into for the purpose of giving the House of Commons more control over this Vote. But the House of Commons had never exercised its control. It had abdicated its functions as regarded the salaries of Officers of the House of Lords in the same way as it had abdicated its functions in respect of many other matters. It could not be contended for a moment that this House had not a Constitutional control over money which was voted for any purpose whatever. The money came from the taxpayers, and the gravest Constitutional question which could be raised was that of the levying of taxation from the people by the Crown, or the Ministers of the Crown. The hon. Baronet came here as the Representative of the Crown, and said—"Pay this." When asked why the money should be paid, he replied that he knew nothing about it, and that the House of Lords had settled the matter. That was un-Constitutional conduct on the part of the hon. Baronet, and he submitted that the time had arrived when the House of Commons ought to take some notice of this question.

Mr. DILLWYN observed, that the hon. Baronet could not avoid the responsibility quite so easily as he imagined—merely by reading a clause from the Act of the 9 & 10 *Vict.*—because it appeared that, although the salaries were to be approved by a Committee, they were afterwards to be submitted to the House of Commons for approval.

Sir HENRY SELWIN-IBBETSON said, that had reference only to the salaries of Officers of the House of Commons.

Mr. DILLWYN could not understand what was the object of reading the extract from the Act of Parliament, unless the hon. Baronet meant to show that the same principle governed the proceedings of the House of Lords.

Mr. O'CONNOR POWER would not repeat the arguments which he adduced some time ago; but he wished to ask the Secretary to the Treasury whether there would be anything irregular in his assenting, on the part of the Government, to the proposed reduction of £100, or, at least, in his refusing to assent to the proposed increase? If, next year, it were proposed that the salary should be increased to £900, the hon. Baronet might use the same arguments which he had brought forward that night. It was time that the House of Commons should make a stand against this, for the conduct of the Committee was an outrage on Constitutional principles. He was much indebted to the hon. Baronet for his explanation of the manner in which this came about. No doubt, the cleverest financier in the House would find himself in a difficulty equal to that which the hon. Baronet experienced in dealing with this matter for the first time. He admitted the difficulty; but he did not see how hon. Members could shirk their responsibility, or how they could account in a satisfactory manner to their constituents for assenting to this proposed increase. It appeared to him that nothing could be said in defence of hon. Members if they gave a silent assent to such a proposition.

Mr. BIGGAR thought it only fair for him to say that he had no fault to find with the Secretary to the Treasury, who had explained fully and candidly how the matter stood. But, unfortunately for the hon. Baronet, he had no case, inasmuch as his Department had not inquired why the House of Lords asked for this increase. The hon. Baronet had failed to show that the *ipse dixit* of the Committee of the House of Lords must bind the decision of the House of Commons. He thought the House of Commons ought, in its own defence, unanimously to refuse to be bound by the Instructions of an irresponsible Committee of the House of Lords.

MAJOR NOLAN said, there could be no harm in the Government allowing the matter to stand over for a few days, when a compromise might be effected that would be satisfactory to all parties.

Question put.

The Committee *divided*:—Ayes 29; Noes 81: Majority 52.—(Div. List, No. 110.)

Original Question put.

MR. PARNELL said, he did not propose to take a division upon the Vote after the division which had already been taken upon the Amendment; but he should certainly say "No" to its passing, because he thought it involved a point of the gravest importance. The Committee was asked to vote a sum of over £3,000 for the payment of salaries to officials in the House of Lords; and when the hon. Baronet the Secretary to the Treasury was asked for an explanation of the items, he replied that he had no knowledge on the subject; that he was not responsible for the application of the money; and he referred the Committee to an arrangement made between the two Houses of Parliament—an arrangement, the terms of which were to him unknown. All the hon. Baronet did know on the subject was that the arrangement was entered into in the year 1868, and that it superseded or took the place of a Statute passed in the reign of George III. The Committee could only suppose that the arrangement was drawn up in the terms of the Statute; because, if it were intended to make any radical change in the provisions of an Act of Parliament, it could only be done by means of an amending Bill which had received the assent of the Crown after having been passed by both Houses of Parliament. He therefore submitted that the Committee was asked to take a course at variance with the Constitution, because the Crown had no right to ask for or to take public money without giving a full explanation of the purposes to which it was to be applied, and no such explanation had been given with regard to the Vote now asked for. He was glad to see that the Chancellor of the Exchequer had returned to his place, because he might be able to supplement what had been stated by the hon. Baronet the Secretary to the Treasury, whose courtesy and willingness to afford explanations seemed to have exceeded the amount of his knowledge. He believed there would be no difficulty about this question, if the functions of the House of Commons concerning it, as laid down in the Statute of George III., which had not been read or even explained in substance, were understood by the Committee. The House of Commons had as much right to require explanations as to the amount it was asked to vote for the salaries of officials engaged in the House of Lords as it had in reference to the salaries and expenses attendant upon the conduct of Business in the House of Commons itself. He should, therefore, say "No" to the Vote; and, even at the eleventh hour, he would again urge the Government to allow the Vote to be postponed, in order that inquiry might be made as to the Statute of George III., and the arrangement made in substitution for it, between the two Houses of Parliament in the year 1868.

MR. O'CONNOR POWER said, it had been urged, at an earlier period in the evening, that it was undignified on the part of the House of Commons to criticize the gross amount, or the items, of expense incurred in conducting the Business of the House of Lords. If that objection were entitled to any weight, it must surely be much more undignified in a Committee of Supply in the House of Commons to make any examination as to the expenses of the Household of the Queen. Yet that was, and had been, done in every Session of Parliament without the least objection. He was not, however, disposed to carry the discussion further as far as this particular point was concerned. There was another matter, however, upon which he wished to say one or two words. The Serjeant-at-Arms in the House of Lords received annually, in the shape of salary and allowances, a sum of £1,600; but would any hon. Member, for a moment comparing the duties of the Sergeant-at-Arms in the House of Lords with those of the Sergeant-at-Arms in the House of Commons, say that the emoluments of the two officials were proportionate to their duties, or deny that, also comparatively, the Serjeant-at-Arms of the House of Commons was underpaid? What he particularly wished to know was, how the salaries had been fixed? because, unless it could de shown that some distinct principle, applicable to each set of officials, had been formulated and acted upon, it might be thought that the House of Lords, which was answerable to nobody, proposed large salaries for its officials, while the House of Commons, the Members of which Assembly had to answer to their constituents, did not dare to propose that its own and more hardly worked officials should receive emoluments equivalent to the duties which they had to perform. He could not but think the whole question one that might advantageously be considered and dealt with by the Chancellor of the Exchequer. If an undertaking that it should be so considered were given on behalf of the Government, he saw no reason why any further opposition to the Vote should be offered on the present occasion; otherwise, he was of opinion that the Vote ought to be strongly opposed.

Vote *agreed to.*

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £41,907, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses in the Offices of the House of Commons."

MR. PARNELL said, he did not think the Committee had been treated very fairly by the Chancellor of the Exchequer in regard to the last Vote, which he was asked to explain with more fulness than the Secretary to the Treasury had vouchsafed to the Committee. If the Committee were not to have the advantage of the greater experience of the Leader of the House, its proceedings would degenerate into a farce. He, therefore, moved that the Chairman do report Progress.

Mr. O'Connor Power

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

THE CHANCELLOR OF THE EXCHEQUER said, the hon. Member for Meath was generally very ingenious in finding reasons why Progress should be reported when the House was in Committee of Supply; but, on the present occasion, he had no ground for the course he had taken. He saw no reason for entering upon a discussion of the last Vote, because it had been explained as fully as possible by his hon. Friend the Secretary to the Treasury. The question really resolved itself into one as to the Privilege always possessed by the other House of Parliament, and always respected by the House of Commons——

THE CHAIRMAN said, the right hon. Gentleman would be out of Order in referring, by way of explanation, to a Vote which had been already agreed to.

THE CHANCELLOR OF THE EXCHEQUER said, he bowed to the ruling of the Chairman, and would only say that it was from no feeling of discourtesy he refrained from taking part in the discussion of the last Vote agreed to.

MR. PARNELL said, he would withdraw his Motion to report Progress, as it appeared no advantage could be gained by continuing the discussion upon it; but he would, before doing so, remind the Chancellor of the Exchequer, in reference to one remark he had made, that he (Mr. Parnell) had not in the course of the Session called upon the House once to divide upon a Motion to report Progress.

Motion, by leave, *withdrawn.*

Original Question put.

MR. BRISTOWE remarked, that the Vote contained a somewhat large item for translation of foreign documents, and plans and maps issued in connection with Papers moved for and laid on the Table of the House. He did not suppose that this sum was in any way connected with the foreign documents issued from the Foreign Office; and, therefore, he could not understand to what Papers this sum of £1,000 referred.

MR. BOURKE assured the hon. and learned Member that he was mistaken in supposing that the cost of any Papers issued from the Foreign Office was included in this Vote.

SIR HENRY SELWIN-IBBETSON explained, that the maps and plans referred to by the hon. and learned Member were partly prepared in connection with a Motion of the hon. Member for North Warwickshire (Mr. Newdegate) for Papers on the question of Monastic and Conventual Institutions.

MR. O'SHAUGHNESSY said, the Papers moved for by the hon. Member for North Warwickshire seemed to have acted as a regular stopper upon his zeal, and it was to be hoped that from year to year he would make similar Motions on a variety of other subjects with the same effect.

MR. SULLIVAN suggested, that, perhaps, the maps and plans which had cost so much public money, had reference to the underground dungeons in which, according to the hon. Member for North Warwickshire, nuns were habitually confined.

MR. PARNELL thought the pay given to the police constables, who were constantly on duty at the House when Parliament was in Session, was inadequate, and expressed a hope that it would be increased.

SIR HENRY SELWIN-IBBETSON admitted that the constables in question were both attentive and courteous; but pointed out that although they received only a small amount of extra pay, the fact of their being on duty at the House relieved them from extra and heavier duty. In fact, it was considered by the Force that this was one of the lightest duties they could be called upon to perform.

Vote *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £49,710, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses in the Department of Her Majesty's Treasury."

MR. PARNELL called attention to the fact, that there were three Lords Commissioners of the Treasury, whose duties did not appear to be particularly onerous. One of these gentleman was the hon. Member for North Lincolnshire (Mr. Winn), who was also one of the Government Whips. He thought the time would come when there would be Whips in an Irish House of Commons; but, if he happened to be a Member of that Body, he should oppose any proposal to pay them out of national funds. He hoped the Chancellor of the Exchequer would explain the duties of the Lords Commissioners. As far as he had seen, the chief office of the hon. Member for North Lincolnshire was to promote "counts-out" whenever Bills interesting to large masses of the Irish people were before the House. In order to raise the question, he would move to reduce the Vote by £3,000, the amount of the salaries of the Lords Commissioners.

Motion made, and Question proposed,

"That a sum, not exceeding £46,710, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses in the Department of Her Majesty's Treasury."—(*Mr. Parnell.*)

THE CHANCELLOR OF THE EXCHEQUER said, there could be no doubt that the Lords Commissioners of the Treasury had many duties to discharge other than those which they performed with great advantage to the House in connection with Government Business. The duties which they had to perform in the House were far from being the whole of those which devolved upon them. They had, for instance, to settle the superannuation allowances of members of the Civil Service who retired, and one of the Lords Commissioners was always a Member of the Committee charged with this duty. Cases of the kind had to be settled weekly, often daily; and, in addition to being very important, they took up a great deal of time. There were also duties of a more or less formal character, but which required the personal authentification, as well as the signature, of a Lord Commissioner; and these, too, made considerable demands upon their time. Then, again, there were frequently occurring divisions and revisions in the different Offices attached to the Government, and Commissions appointed by Parliament, which had to be left to Departmental Committees, of which Lord Commissioners of the Treasury formed most useful Members. In all these respects, the hon. Member for North Lincolnshire (Mr. Winn), to whom special reference had been made, had been most useful; and he had also saved the country many thousands of pounds by the inquiries he had conducted and the improvements he had suggested in the Stationery Department. If he had time and opportunity to describe all that these Gentlemen did, he could show that they were far from being the holders of sinecures. In conclusion, he might say with regard to them, that they were often most useful Members, as representing the Government, of Select Committees appointed by Parliament.

Mr. MELDON said, he quite understood the nature of the services rendered by the hon. Member for North Lincolnshire (Mr. Winn), but wanted information as to those of the hon. Member for Portsmouth (Sir James Elphinstone), who received a salary of £1,000 per annum as one of the Lords Commissioners. He desired to know, also, by what authority—whether of an Act of Parliament or otherwise—these Gentlemen were styled "Lords" Commissioners of the Treasury?

Sir HENRY SELWIN-IBBETSON said, the explanation was that they were styled Junior Lords by a form of speech, the Treasury being a Commission of which the Prime Minister was First Lord and the Chancellor of the Exchequer the Second. The other Members were Commissioners, commonly called "Junior Lords."

Mr. MELDON said, that being the case, he thought it clear that documents should be signed by them as Commissioners, and not as Junior Lords of the Treasury.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(4.) £73,345, to complete the sum for the Home Office.

Mr. WHITWELL said, he wished to draw attention to the inconvenience which arose from massing together the salaries of Clerks, Inspectors, and other officers, instead of placing them separately under their respective headings. He would like to ask whether the expense attendant upon the working of the Explosives Act would be continuous, or if there was any probability of a reduction in this item?

The Chancellor of the Exchequer

Sir HENRY SELWIN-IBBETSON thought the cost of the inspection of explosives was not likely to be reduced in future years, as the labour was likely to be increased rather than diminished.

Mr. PARNELL said, he wished to call attention to the question raised by his hon. Friend the Member for Tipperary (Mr. Gray) during the discussion of the Factories and Workshops Bill. The Home Secretary would recollect that it was stated by his hon. Friend that nearly all the Assistant Inspectors who had been appointed in Ireland were Englishmen and Protestants. He asked the right hon. Gentleman for some assurance that in future the Inspectors should not be picked from these classes, but that a selection should be made of the best men in the locality where their services were required. The Home Secretary had been kind enough to say that he would look into the matter, and remove any inequality which might be found to exist; and he wished to know whether any inquiry had been made?

Mr. ASSHETON CROSS said, he had not thought it wise to enter into any question relating to these matters. He had always endeavoured to select the Sub-Inspectors of Factories without any Party or political consideration. He would say to the hon. Member for Meath, that if he knew any person duly qualified for one of these posts, and would recommend him to apply to the Home Office, the application should receive proper consideration. The list of candidates was so large that he found great difficulty in selecting those who were best qualified, and he had thought it best, under the circumstances, to submit three or four persons to a competitive examination among themselves for the purpose of deciding upon their fitness. Notwithstanding that the list contained the names of a great number of persons, he would undertake that any really qualified applicant should have every attention paid to him.

Sir ANDREW LUSK said, he noticed that, of the Inspectors appointed, one was a retired commander of the Royal Navy, another a retired captain of Militia, and a third a captain of Light Infantry. He asked the Home Secretary whether it would not be better to choose these officers from among men who were acquainted with the working of factories at home, who knew something of business and the state of the markets? He did not think that naval and military officers were the men best fitted for these posts, and did not approve of their receiving salaries for three or four different offices.

MR. ASSHETON CROSS said, the great qualification for these offices was the ability to manage workmen; and, in addition to this, a knowledge of the world. He by no means excluded persons who had an acquaintance with machinery and the working of factories —in fact, the very last appointment made was offered to a person who had a thorough knowledge of machinery; but, unfortunately, the salary was too small for his acceptance. There was no rule which limited these appointments to military and naval officers, his sole object being to obtain persons of general ability and intelligence.

MR. PARNELL said, he should be very sorry to recommend anybody in Ireland to apply for an appointment of this kind, because he thought it one of the great weaknesses of their position in Ireland, that these appointments were in the hands of the Government, who would use their patronage in such a manner as to forward their own ideas of governing the country. He thought it a very great mischief that Irishmen should be led to try to obtain any Government appointment; and, from his point of view, it would seem to offer immense advantage if Irishmen were opposed to Government appointments. He had no fault to find with individual or particular officers; but, although the Home Secretary had said that he never regarded religious or political distinctions in these matters, it might, unfortunately, happen that others, in recommending candidates, would do so, and thereby administer to Party and sectarian prejudices. He did not ask the Home Secretary to make any promise; but he hoped he would consider the question of appointments to be made in Ireland, under the Factories and Workshops Act, with a view to the removal of sectarian influence.

MR. ASSHETON CROSS said, that he had already endeavoured to do this in every way.

Vote *agreed to.*

(5.) £61,065, to complete the sum for the Foreign Office.

MR. WHITWELL said, he saw in a foot-note, that two of the Clerks in the Department of the Foreign Office were in receipt of £360 a-year, in addition to their salaries—the one, as Private Secretary to the Chancellor of the Exchequer, the other as Private Secretary to the Lord President of the Council. It appeared to him undesirable that an officer should hold two appointments, and he should prefer that only one should be held, and that be well paid for. He asked why the Foreign Office should be charged with the salary of two Clerks who performed some of their duties elsewhere? As a mere matter of routine, it would be better that the salaries should be paid in one amount, and not from two sources.

MR. GOLDNEY said, when a Ministry came into Office, it was thought advantageous to select as Private Secretaries, Clerks who had a sufficient knowledge of routine business.

MR. BRISTOWE said, it was, no doubt, of importance that Ministers should have Private Secretaries acquainted with the details of their respective Offices; but he could not conceive why a gentleman from the Foreign Office should be selected as Secretary to the Chancellor of the Exchequer.

SIR HENRY SELWIN-IBBETSON said, the Private Secretaryships were not permanent offices. It was found of advantage to the Public Service to confer these appointments upon gentlemen who had the special qualification of being thoroughly acquainted with the business of their particular Departments. With regard to the Private Secretaries being taken from the Foreign Office, he would point out that in the present instance it was of great assistance to the Chancellor of the Exchequer to have the services of a gentleman intimately acquainted with a subject which was now so interesting to the House and the country.

MR. WHITWELL said, he would exclude from the list of the Foreign Office, officers who had been removed from that Department.

MR. BOURKE said, when it became necessary to regard these appointments, the Vote must be taken as a whole. It was desirable that Ministers should have liberty to make such selections, and combine the two offices.

Mr. RYLANDS said, they could not suppose for a moment that leading Ministers should not have for Private Secretaries gentlemen of ability and knowledge of public affairs. He did not understand that his hon. Friend the Member for Kendal (Mr. Whitwell) objected to the Chancellor of the Exchequer having a Private Secretary at £300 a-year. They were quite aware that the Private Secretary of the Chancellor of the Exchequer would no doubt perform duties of a very important and responsible character, and they were also perfectly aware that the salaries which were paid to Private Secretaries were salaries of a very moderate character, and could hardly be considered at all excessive when the value of their services was taken into consideration. On the contrary, he thought the gentlemen fulfilling the duties of Private Secretaries fitted themselves, by degrees, to take important offices in the country, and the training they obtained as Private Secretaries was most valuable, and it was very much in the public interest that their existence should be encouraged. The objection raised to the two Private Secretaries in question—namely, to that of the Chancellor of the Exchequer, and of the Lord President of the Council—by the hon. Member for Kendal, was a very valid one. It was this—that if they had gentlemen occupying the position of Private Secretaries to Ministers, they should cease to be Clerks in the Foreign Office, as the two gentlemen in question were; for they neglected, so to speak, their duties at the Foreign Office, in order to perform the far more important duties of Private Secretaries. His (Mr. Rylands') impression was, that the staff of the Foreign Office was either too large, or that there should be someone to take the places of the two gentlemen now discharging the duties of Private Secretaries. It was very important that Private Secretaries should not appear as Clerks, either at the Foreign Office, the Treasury, or in any other Public Department; because it naturally excited a good deal of suspicion that they would neglect the minor duties to fulfil the more important.

Mr. GOLDNEY was sure the Committee would not grudge the promotion which, from time to time, was conferred on some of the young men in our Public Offices by their being selected to discharge the duties of Private Secretaries to the Heads of Departments. A selection of the kind had been made in the case of a friend of his, whose name he would not mention, who had distinguished himself as a Clerk in the Public Service, and who now, as Private Secretary, had important duties to perform at all hours of the day, but whose purpose it would not answer to give up altogether the permanent appointment which he also held.

Mr. RYLANDS called attention to the fact that they paid 12 Queen's Foreign Service Messengers £400 a-year each, which amounted to £4,800, while of Queen's Home Service Messengers there were three at £250 each, and five at £200 a-year each—in all £1,750. He was under the impression that they were paying a much larger sum for messengers than they ought. Home Service Messengers he considered quite as important as Foreign Service Messengers; and, considering the great facilities this country possessed of forwarding messages to foreign capitals, an attempt ought certainly to be made to reduce this large item of £4,800, in addition to which there were allowances for travelling expenses amounting to £13,000. There was no Government which paid its Foreign Service Messengers upon the same scale as the English Government.

Mr. PARNELL quite concurred with those who held that it would be somewhat invidious to grudge a clever young man just commencing his career the promotion which he might obtain by being made Private Secretary to a Minister; while he, at the same time, fulfilled the duties of the Office to which he happened to be attached as a Clerk. He should, however, like to know whether the duties of both positions did not sometimes clash? Did, for instance, the two Clerks whose case was more immediately under discussion, go down to the Foreign Office every day to perform their duties there, or were their duties as Private Secretaries of such a nature as practically to prevent them from discharging those duties?

The CHANCELLOR of the EXCHEQUER said, that as reference had been made to his Private Secretary, he wished to make a short explanation. He had selected that gentleman, in the first instance, to act as his Secretary because he found that, being left in charge of the Business of the House, and being in that position obliged to take a very considerable share in the discussions on foreign affairs, it was not only exceedingly useful, but almost necessary, that he should have the assistance of some one who was well acquainted with foreign subjects. It was on that account he had chosen a gentleman who had been in the Foreign Office for some years as Clerk, and who had done good service in that capacity. In reply to the Question of the hon. Member for Meath (Mr. Parnell), he felt, however, bound to say that his employment as Private Secretary did very greatly, indeed, interfere with the discharge of his duties at the Foreign Office. He was from time to time, nevertheless, able to attend there, and, indeed, scarcely a day passed that he did not do so, although it was rather with business of a general character connected with the work of the Government which he himself, as Leader of the House, had to conduct; and which, to a very great extent, he found himself enabled to conduct by means of the assistance which his Private Secretary rendered him, that the latter was mainly occupied. The practice, he might add, was one of long standing, and one which, in his opinion, did not really operate to the inconvenience of the public service. It was not permitted, by the rules of the service, that a Clerk who had attained a very considerable position in his Office should be allowed to act as Private Secretary out of his own Department; but junior Clerks were allowed to take temporary appointments as Private Secretaries when their other duties admitted of their doing so. Their brother clerks were, he believed, in such cases very ready to assist in performing any extra duty which might be thrown upon them; and the circulation which was brought about by employing young men for a limited time—and it was only for a limited time—to act as Private Secretaries, while not interfering injuriously with the work of a Department, operated, so far as he could see, as a stimulus, and was, in that respect, productive of considerable advantage.

MR. H. SAMUELSON thought the case was one of those in which the appointment by a Minister of a relative to be his Private Secretary was entirely free from the charge of nepotism, for the position was one in which the closest intimacy between employer and employed was required; and he could not imagine a better person for a Minister's Secretary than his own son, supposing his abilities to be equal to the task. He might also observe that it was likely to be of great use to the Foreign Office itself that some of its Clerks should be so engaged, because they would, in all probability, be enabled in consequence to learn much which would afterwards be of great service in their profession. These gentlemen's services were real services given to the country in two capacities, and it was fair that they should draw pay in both capacities.

MR. WHITWELL was quite prepared to admit that it was of the utmost importance that a Minister occupying the position which the Chancellor of the Exchequer did should be able to secure the sources of a Private Secretary in whom he could place entire confidence; but then he objected strongly to officials receiving public money from two sources, as in the instances to which he had called the attention of the Committee, although there might, of course, be some cases in which it would be necessary to make an exception.

Vote *agreed to.*

(6.) £32,217, to complete the sum for the Colonial Office.

(7.) £27,518, to complete the sum for the Privy Council Office.

MR. PARNELL said, he recollected that when the Irish Cattle Plague Bill was passing through the House, his hon. Friend the Member for Cavan (Mr. Biggar) had asked the noble Lord who then filled the Office of Vice President of the Privy Council (Viscount Sandon) a Question with respect to the payments of the Inspectors of the Veterinary Department in Ireland as compared with the payment of a similar class of officers in England. It appeared that in Ireland the local Inspectors were paid out of moneys partly derived from local sources and partly voted by Parliament, while in England the whole of their salaries was provided by Parliament. If that were so, the system was one which was regarded by himself and other Irish Members as being unfair; but his hon. Friend the Member for Cavan had, at all events, failed to obtain from the noble Lord the information for which he asked. Perhaps the noble Lord who had succeeded him in his Office (Lord George Hamilton) could give it; or, as he did not happen to be in his place, perhaps the Secretary to the Treasury would be able to inform the Committee whether there was any difference in the payment of veterinary Inspectors as compared with those in England?

SIR HENRY SELWIN-IBBETSON, having expressed his regret that his noble Friend the Vice President of the Council was not in the House, said, he could state, from his own knowledge, that in England the Inspectors appointed by the Veterinary Department were paid out of moneys voted by Parliament. Whether that was so in Ireland or not, he was unable to inform the Committee.

SIR ANDREW LUSK, having remarked that he thought the noble Lord who was responsible for the Department ought to be in his place to give the necessary explanations of the Vote, asked why the amount set down for quarantine and other expenses at Portsmouth was so much larger than the sum which was required in the case of places like London, Liverpool, and Southampton, at which the trade was of much greater magnitude?

SIR HENRY SELWIN-IBBETSON said, it was deemed expedient to keep up an establishment at Portsmouth for the purpose of seeing that quarantine was properly enforced, and that that could not well be done at a less cost than was stated in the Estimate.

MR. WHITWELL wished to know why there was so great a reduction—amounting to a sum of no less than £8,000—in the Vote for the Veterinary Department this year as compared with last year? The Committee was aware how great the interest was which was at the present moment felt throughout the country with respect to the proposed legislation on the subject of the Cattle Plague. That legislation was, it appeared to be, of a very severe kind; and he was at a loss, therefore, to understand how the Government could see their way to making such a reduction as he had mentioned.

SIR HENRY SELWIN-IBBETSON pointed out, that a very large expenditure had last year been incurred in the appointment of additional Inspectors owing to the outbreak of the Cattle Plague. It had been, in consequence, found necessary to increase the permanent staff, and a number of temporary Inspectors had been employed; but the Cattle Plague having been stamped out, it had been deemed desirable to reduce that number, inasmuch as the emergency which they had been appointed to meet no longer existed. That accounted for the large decrease in the Vote for the Veterinary Department. The question, he might add, of what a future Act of Parliament might necessitate, was one on which he did not wish to speculate.

MR. WHITWELL wished to know whether the hon. Baronet thought the expenditure now estimated would be quite adequate to meet the requirements of the Department?

SIR HENRY SELWIN-IBBETSON replied, that that was the expectation of the Department itself, unless, of course, a fresh outbreak of Cattle Plague should, unfortunately, visit the country.

SIR ANDREW LUSK complained that an establishment was kept up at Portsmouth at a cost of £1,200 or £1,400 a-year for the purposes of quarantine; which, so far as he could see, was absolutely of little or no use.

SIR HENRY SELWIN-IBBETSON said, the station there was necessary for the strict enforcement of quarantine regulations.

MR. PARNELL thought that the subject of inspection ought to be carefully held in view by the Committee in connection with this Vote. He remembered that, some time ago, the local authorities at some English ports enforced stringent powers, which they supposed they possessed, against the importation of Irish cattle. A whole cargo was seized, and prevented from proceeding to its destination, by which great consternation was caused in the Irish Cattle Trade, and great confusion ensued. A debate on the subject was originated in that House by the hon. Member for South Norfolk (Mr. Clare Read), to which he listened very attentively. The Government said they found it necessary to adopt more stringent measures with regard to the importation of Irish cattle; but they thought that, for the present, by providing additional inspection, putting on additional Inspectors, and taking additional pains with regard to the inspection itself, purifying and disinfecting the trucks, and looking after the treatment of the cattle, they would be able, to a great extent, to get rid of the disease. That expectation of the Government, held out by the noble Lord who then represented the Department (Viscount Sandon), had been verified in a remarkable manner. It was supposed that the foot-and-mouth disease came from Ireland; but in Ireland it could always be traced as having come from England first; and it so happened, that since the Government insisted on these precautions—of white-washing the trucks, seeing that the animals were not carried about promiscuously, and that they were supplied with hay and water, the disease began to decrease, until at last there was no foot-and-mouth disease in Ireland, and scarcely any in England. Now, he found from these Estimates that those precautionary measures had been very much reduced, and he thought it bad policy, to say the least of it. He found, for instance, that the temporary Inspectors were to be paid as usual, but their travelling expenses were reduced one-half—that was from £4 to £2. The sum to be voted for them this year was £7,470. But, if these temporary Inspectors were to be of any use, they must go about the country and see that the local authorities put in force the powers with which they were armed; and how were they to perform that duty if their expenses were diminished? He saw, also, that the cost of disinfecting the vans was reduced. Those changes he looked upon as unfortunate and mistaken. He could attribute the stamping out of foot-and-mouth disease to nothing else but to the close attention paid to their duties by the temporary Inspectors, and to the enforcement of precautions by the local authorities; but if all that was to stop now, they would have foot-and-mouth disease again. The Government would again come to the House, and say—"There is a terrible disease raging in the country, and it was necessary to adopt fresh measures in order to get rid of it." Unless there were some reasons for it, with reference to these precautionary measures, of which the House was not aware, he thought the Government were embarking on a bad policy. Referring to the Irish Estimates, he found that a sum of only £150 was provided towards the cost of inspection in Ireland, while upwards of £7,000 was to be voted for inspection in England. It was very unfair that in this way a large extra charge should be thrown on the local resources of Ireland. In England the cost of inspection was to be defrayed out of money voted by Parliament; but in Ireland, all except £150 which Parliament would vote for it, was to be paid out of local resources. The reason of that difference, he presumed, was to be found in the different nature of the Irish Act. It could not be done this year, he supposed; but he hoped the time would come when they would have some addition made to that Vote.

SIR HENRY SELWIN-IBBETSON said, he did not think the subject of inspection would be prejudiced in the way pointed out by the hon. Member for Meath. The Inspectors appointed for the inspection of the railway carriages, and of the vessels in which the animals were brought over from Ireland, would still perform the same duties. The duty of seeing that those carriages and those vessels were properly inspected would continue to be performed as now; and it was only a certain number of temporary Inspectors, put on during the outbreak in London, when the Privy Council took on itself the whole management of the precautions adopted in view of the disease, that were reduced. The temporary travelling Inspectors, appointed in 1875 and 1876, were still paid as when appointed. All the disinfections were now done by the local authorities under their order, and their expenses were therefore not charged in this Vote. The £7,000 for inspection in England, compared with the £150 for Irish inspection, referred to by the hon. Member, was for police expenses, in relation to the *cordon* established round London, to prevent the disease spreading thence through the country. The whole reduction in the Vote was due entirely to the fact, that that which was a temporary malady, and for which temporary restrictions had to be enforced, was now stamped out, and it was no longer necessary to be so cautious.

Mr. DODSON thought he might take that opportunity of delivering his word of exhortation to the Government. He called attention last year to the great number of Inspectors and Commissioners that were appointed for different purposes, and to the rapid rate at which they increased. He was not going over that ground now; but he wished to call the attention of the Secretary to the Treasury and of the Chancellor of the Exchequer to this—that if they looked into the matter, they would find an increase of Commissioners and of Inspectors of about 50 beyond what appeared in the Estimates for last year; while their salaries had risen from £300,000 last year to £320,000 this year, and their salaries and expenses from £600,000 to £640,000. He knew they would say they had all been appointed under arrangements made by Parliament itself; but still it was not a satisfactory state of things, and demanded attention. What he would ask the Secretary to the Treasury to do was to keep a watchful eye and a close hand on the Departments that applied to him for making additions to the number of Inspectors, and an increase to their salaries. If that were not done, there was certain to be a rapid increase of both.

Mr. M'LAREN said, he wished to remove an impression, which appeared to have been created by the hon. Member for Meath (Mr. Parnell), that only £150 was voted by Parliament for the inspection of cattle in Ireland. The fact was, as appeared from the Estimates, that that was only a portion of the whole sum provided; and which, in another part of the Estimates, amounted to £2,300.

Mr. BIGGAR, in reply to the hon. Member for Edinburgh (Mr. M'Laren), observed, that he had overlooked the fact that some of the items which appeared in the English Vote did not appear at all in the Irish Vote. The Estimate for England was, in fact, a sum of £33,000, and that for Ireland only £2,000—or the one was about 16 times the other, which was a wide disproportion. The £7,070 paid to English Inspectors was exclusive of the sum paid for temporary Inspectors, who got £3,000 last year. Their grievance in Ireland was that the £7,070 paid for England was provided out of Imperial resources, whereas the Irish inspection was left to be provided for out of local resources. They had to pay, moreover, for an inspection which did not affect their cattle. The inspection, such as it was, was carried on at the shipping ports; and, so far as his own inspection went, that temporary inspection was all nonsense—and, in fact, the term temporary Inspector, was altogether a misnomer. The evidence with regard to lung disease went to show that it was exceedingly doubtful whether it was a contagious disease. He believed it was not. It was not a disease carried from animal to animal, but it was an epidemic disease that seemed to exist in the air. Rinderpest, on the contrary, was of a very deadly nature; but the weight of evidence, with regard to these Inspectors, was that the disease could not be influenced by their supervision in any appreciable degree. He was conversing the other day with an Inspector about a cow that had got into a lingering state from eating too much cotton cake. At the end of the week he reported, in sympathy with the proprietor, that the cow died of lung disease; but, when the cow was slaughtered in order to prevent contagion, the lungs were examined, and it was found that the animal had no disease at all. That was a fair sample of the way in which the system worked, and he had a great mind to move the omission of the Vote altogether.

Mr. M'LAREN observed, that he had only desired to point out that the speech of the hon. Member for Meath (Mr. Parnell) went to create the idea that no sum was allowed for purposes of veterinary inspection in Ireland. The fact was, that, as regarded cattle, England was an importing country, requiring careful inspection at the ports of importation; but Ireland was an exporting country, and, therefore, did not require such extensive inspection. He did not intend, however, to make a complete comparison between the two countries in those particulars.

Mr. PARNELL replied, that he complained that only £150 was allowed for Ireland; while, for England, £7,000 was provided for inspection. That was a very great disproportion.

Mr. BIGGAR wished to repeat that the money was thrown away on this inspection. The cattle were brought to the ports of shipment in Ireland, and taken down to the quay alongside the ships. It was generally after dark, and anything like inspection under such circumstances was out of the question. He did not think they should be asked to vote money for such a purpose. In England the case was different, because the Inspectors could insist on seeing the animals before they left the port.

(8.) Motion made, and Question proposed,

> "That a sum, not exceeding £2,305, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of Lord Privy Seal."

MR. DILLWYN objected that this office was nothing but a sinecure pure and simple, as he had often heard admitted in that House, while he had never heard it pretended by anyone that there was any use in it. He objected to the principle of keeping up a sinecure office to eke out the emoluments for other duties, because it prevented the House from knowing what it was paying for, and whether the office was useful, or not. The arguments had been urged over and over again, and he would not repeat them. It was well understood that the office was a sinecure, and he objected to Members having any participation in the continuance of an office which it was clear was of no use.

SIR WILLIAM FRASER thought the income was a small one, and but slightly increased the Expenditure, while it enabled the Cabinet to strengthen itself by the addition of a Minister who could not accept a more burdensome office. He had not changed his opinion that the position of Privy Seal should be held by the Prime Minister; it would give a not unreasonable addition to his salary, which at present was too low, and would give him the position and precedence which such great responsibilities demanded.

MR. O'CONNOR POWER said, that a debate took place on this subject in the Session of 1876. The Prime Minister then made a speech in defence of the sinecure. It was one of those speeches to which those who listened were just as wise at the close as at the beginning. He had read the whole of that speech, and there was not a single attempt in it to define the duties of Lord Privy Seal. The Prime Minister referred darkly and mysteriously to the importance of the post; but nothing more was said then than now to show that there was any use for the position. The statement made in the previous debate was very applicable to what had been said by hon. Gentlemen that night. It was now said that the Prime Minister had abandoned this position, and had transferred the duties to someone else, and that it must have been from a conviction that the duties must be performed by someone else that he did so. When that assertion was compared with the statement of the Prime Minister in 1876, he felt that some Members of the Government could throw some light on the subject. It had been said that the only defence for the salary was that the person appointed to the office of Lord Privy Seal having nothing to do must be of great use in relieving the other members of the Cabinet who were overworked. But that was not a satisfactory principle upon which to vote public money. He, for one, would not object if a proposal were made to the House of Commons to increase the salary of the Prime Minister—if the House were asked to give the Prime Minister the salary now paid to the Privy Seal, in addition to the £5,000 already received by him. He could well understand that the dignity of his position was such that to support it properly the salary now given was totally inadequate. But that was not the proposal made, and he must therefore record his vote against it.

SIR GEORGE BOWYER said, that he had several times, in successive years, listened to this Motion for the abolition of the office of the Lord Privy Seal. The office was one of considerable antiquity, and sometimes, when a person was invited to join the Cabinet, it was convenient to put him into that position, as it was one of the great offices of State about the King. It had been said by the hon. Member for Meath (Mr. Parnell) that nobody had ever told him what the duties of the office really were, and he said the Prime Minister had made a speech in which he did not explain the nature of those duties. For his part, he did not think the Prime Minister was a man who would be likely to speak even for seven minutes, without saying something practical. Therefore, he thought the hon. Member must have misread the speech of the Prime Minister, or it must have been badly reported. He would tell the Committee what the duties of the Lord Privy Seal were. Every instrument, such as Letters Patent—except patents for inventions—had first to receive the Royal Warrant; that Warrant was sent to the Lord Privy Seal, who issued his writ of Privy Seal, which authorized the Lord Chancellor to put the Great Seal to the Patents. What was the effect of that? It might be said it was a mere formality; but it was not so. The effect was that two Cabinet Ministers were responsible for affixing the Great Seal. Not only was the Lord Chancellor responsible, but the Lord Privy Seal was responsible also, for every instrument which passed the Great Seal. Thus the country had the responsibility of two instead of one Minister for every instrument issuing under the Great Seal. It had been held, by high authority, that the person legally technically responsible for a Treaty of Peace was the Lord Chancellor, and the Lord Privy Seal was also responsible, for it was by authority of his writ that the Lord Chancellor passed the instrument. In this manner thousands of instruments, that everybody was acquainted with, passed under the Great Seal, and could only be passed by the joint authority of the Lord Chancellor and the Lord Privy Seal. He thought that was a matter of some importance in a Constitutional point of view; and, though he did not mean to say that the Lord Privy Seal was very hard worked, or had a great deal to do, yet what he did say was that his office was a Constitutional safeguard. Blackstone said—

> "The law of the Constitution provides that all instruments passing the Great Seal should go through at least two Seals before they reached the Great Seal, in order that the responsibility may be complete. So great an importance does the law of England attach to the Great Seal of England."

He should, therefore, contend that the office of Privy Seal was not useless, and that, if the holder was not over-worked, yet the salary was very small—so small as not to be worth mention. There must be some salary attaching to the office; for, although small, it was sufficient to make the office one of responsibility. The arguments which had been addressed to the Committee against continuing the salary of the Lord Privy Seal were so weak and poor that, as he had always thought, they could but be rejected.

Mr. RAMSAY thought that the hon. and learned Baronet who had just addressed the Committee had hardly done justice to the speech of the Prime Minister. What the noble Lord really said was, that the office was found useful, but he did not recommend that it should be continued in respect of any special duties that were to be performed. The hon. and learned Baronet had also said that every instrument passing the Great Seal did so under the responsibility of two Ministers; but how that could be, while the noble Lord filled the office himself as well as that of First Lord of the Treasury, he could not comprehend. In his opinion, the case against passing the Vote was conclusive; and he should suggest that the office should be abolished, and the blank thereby made would provide the opportunity of appointing a Minister for Scotland, to take charge of Scottish affairs in that House. He would recommend that suggestion to the consideration of the Government, for its adoption would not only be highly appreciated by the people of Scotland, but also be useful and acceptable to the people of England. It would conduce to the despatch of Public Business in that House, and would lighten some of the duties devolving upon the Secretary of State for the Home Department. There were many occasions on which the services of a Minister having a seat in the Cabinet, and specially charged with attending to the affairs of Scotland, would be highly desirable and advantageous to the interests of the United Kingdom.

Mr. GOLDNEY observed, that it was only by taking an office of this sort, that men, who had served their country well for a length of time but who were not equal to the performance of hard work, were able to take a seat in the Cabinet. He remembered an instance in the Cabinet of Lord Palmerston. That alone was a justification of the continuance of the past, for it gave the country the benefit of the long experience and powerful intellect of men who could not take upon themselves the duties of an active character, but yet were well able, in such a capacity, to serve their country. The office of Lord Privy Seal was one of great antiquity, and it was an office which afforded Mr. Fox an opportunity of joining the Ministry. Since that time, the maintenance of the post had been generally recognized as essential. It was the duty of the Lord Privy Seal to examine all documents before they passed into Chancery. But the great advantage of maintaining the office was, that the country was enabled to retain in the Cabinet, Ministers of mature age, without imposing upon them duties which were required from other Cabinet Ministers. At the same time, looking at the very miserable salaries which the Cabinet Ministers of the country were paid, he thought that the question of a supplementary office ought not to be cavilled at, and he hoped that the Vote would be passed.

MR. H. SAMUELSON would remind the hon. Member who had last spoken, that no one would assert that it was essential to the interest of the country that the present Nobleman who filled the position of Lord Privy Seal should be retained in the Cabinet. As to the trifling amount of the salary paid him, it must not be forgotten that the Lord President of the Council only received £2,000 a-year, and the Under Secretary of State for the Home Department and the President of the Board of Trade had both the same salaries. There was one public official who did a great deal more work than the Lord Privy Seal—the Under Secretary for Foreign Affairs—and yet he was not above taking the same miserable pittance. They had heard from the hon. and learned Member for Wexford (Sir George Bowyer), what were the duties which the Lord Privy Seal had to perform. Those duties were described very much in the way that those of an Archdeacon were—when it was said, as the only possible explanation of his duties, that he had to perform archideaconal functions.

THE CHANCELLOR OF THE EXCHEQUER said, that this was an historical question, and one which he knew had in successive Sessions and years always been the subject of debate in that Committee. Therefore, everything that could be said upon it, from almost every point of view, had been said on that as well as on former occasions. The fact was, that the office was one of very great antiquity, and, as had been well described by the hon. and learned Member for Wexford (Sir George Bowyer), the holder of it was charged with the duty of ascertaining and supervising the authority upon which the Great Seal was affixed to Letters Patent and other documents. But the maintenance of the office had always been defended, and he thought it ought to be argued upon the ground that it enabled a Minister to have a seat in the Cabinet who was not charged with the duties of a special or heavy Department. There was no doubt that the pressure of Business upon Cabinets had increased very much, and it was exceedingly difficult for those who were charged with the administration of important and busy Departments to give as much time as they would like to bye-questions that arose from time to time. It was very difficult for them to find time to give that careful examination and consideration to such questions unless they had the assistance of one or more of their Colleagues, who could give a little more time than the Chief of a heavy Department. It constantly happened that when a question had to be carefully examined, it was exceedingly convenient to ask one or two Members of the Cabinet, who were not overburdened with work, to make a detailed examination, and report thereon to their Colleagues. In matters of that kind, the Lord Privy Seal, having more time than most Members of the Cabinet, was extremely useful. It was a subject which had been frequently discussed, and had always ended in the Committee not refusing the salary.

MR. MORGAN LLOYD said, that he was a young Member of the House and had not had the experience of the right hon. Gentleman the Chancellor of the Exchequer, yet he well remembered some discussions on this subject on former occasions; he did not, however, remember that, on any former occasion, a detailed account of the duties of the Lord Privy Seal had been given. Before he heard that account of the duties, he had some doubts as to whether he should not give his vote in favour of the continuance of the salary of the Lord Privy Seal. But the speech of the hon. and learned Member for Wexford (Sir George Bowyer) had completely satisfied him that this was an office that ought not to be maintained. The hon. and learned Baronet had clearly shown what the duties were. Former Ministers were too astute to give an account of the duties of the Office they wished to maintain, and therefore spoke in the mysterious manner described by another speaker. But now they had been told what were the duties of the Lord Privy Seal. He had to give his sanction to the affixing of the Great Seal to certain instruments. He himself had not to affix it, and was not authorized to do so; but the Great Seal was afterwards affixed by the Lord Chancellor. What did that mean? It meant a divided responsibility. The Lord Chancellor affixed the Seal to the instrument, because the Lord Privy Seal had passed it. Neither, thus, felt any special responsibility—the Lord Privy Seal would not feel himself responsible, because he knew that the act would be done in the last resort by the Lord Chancellor; and the Lord Chancellor would consider that he was justified in affixing the Seal by the warrant of the Lord Privy Seal. The real history of the case was that instruments, such as those spoken of, were, in the first instance, brought before the Attorney General; the matter was attended to, not by the Attorney General in person, but by his clerk. When the Attorney General's clerk had put his initials to the instrument, it went to the Lord Privy Seal, and he simply again initialed it without inquiry. Such were the duties of the Lord Privy Seal, and they were duties that should be dispensed with, because they only divided and thus lessened the responsibility. The Chancellor of the Exchequer, however, repudiated the explanation of the hon. and learned Baronet, and justified the continuation of the appointment by the statement that it was exceedingly convenient to have a Minister to make a detailed examination upon any question, and that the Lord Privy Seal was useful for that purpose. That seemed to him to make the Lord Privy Seal a journeyman Member of the Cabinet, who might be called upon to do any little odd jobs which no one else had in hand. He had no responsibility, and they might as well have a second-rate man to do that which no one else liked to do, but which had to be done by someone, as to appoint to that office an important personage. But the Privy Seal was not the only office which was held upon similar tenure. What had the Chancellor of the Duchy to do? There was already one Member of the Cabinet who had only odd jobs to do, and why could he not do the whole of them? It seemed to him that the only justification for the maintenance of the office of Lord Privy Seal was that it was an ancient one, and an office much sought after because it gave the holder a high position, a salary, and nothing to do.

Sir JOSEPH M'KENNA had hoped that, when Lord Beaconsfield took the office of Lord Privy Seal as well as that of Prime Minister, he did so with the view of practically bringing the office into disuse, and giving it up altogether. He thought that that act of the Premier was a very graceful and ingenious mode of bringing the office to a point, at which those who thought it unwise to continue it, desired to see it arrive. He was, therefore, sorry to see that the question of that office had again cropped up before the House; and, seeing that this was a period of economy on all sides, when a great many useful things which ought to be done had to be left undone, he thought it a great pity that £2,000 should be drawn for the purpose of maintaining an office which had passed into absolute uselessness for a long time, and into a pluralism for a short period. He did not know whether the hon. Member who moved the rejection of the Vote would press his Amendment to a division; but, if he did, he would support him.

Mr. BIGGAR did not see that the Government had made out any case in favour of the retention of this office. The right hon. Gentleman the Chancellor of the Exchequer had said it was a very ancient office. Well, it seemed to be a very ancient job. They ought to learn experience from the past, and he thought that the Government ought by this time to have gained enough experience to induce them to get rid of the office. They often heard of the great jobs perpetrated in America, and the corruption which took place in high offices. The late President of the United States got into bad odour by the jobbery and rascality of the parties who surrounded him in regard to the sale of contracts; but really he (Mr. Biggar) did not see that there was any great distinction between the selling of an office for ready money and giving an office to a personal friend on the pretence that he would have something to do, when really he had nothing to do in return for the money paid him. He did not think it was serving the interests of the Constitution to defend or uphold jobs which could not be pleaded for by any sound argument. The hon. and learned Baronet the Member for Wexford (Sir George Bowyer) had given the Committee, with great candour, the duties of the office; but, really, as the hon. and learned Gentleman who sat below the Gangway (Mr. Morgan Lloyd) said, he succeeded in proving that the office of Lord Privy Seal was of no use whatever. The system of Seals was not, he believed, conducive to the interests of the country. For instance, take the question of certificates. They were told that they were the certificates of the Attorney General, whereas they were issued by his clerk. Then, again, they were told that the certificate of the Lord Chancellor meant the certificate of the Privy Seal. The want of practical common sense and practical business habits, as evinced by the Government in this matter, did not, as far as he could form an opinion, give a very strong evidence that the business qualities which they arrogated to themselves were justified by the facts of the case.

MR. PARNELL said, the Vote was now asked for under very different circumstances to those which existed the last time there was a debate on the matter. That was in 1876, when Lord Beaconsfield was a Member of that House, and when he described the advantages of retaining the office of Lord Privy Seal. The noble Lord then said the office would be retained, but the salary not drawn, unless there was occasion to confer the position on a Gentleman who could perform functions of great importance which no other Minister of the Government could perform. That was the only reason which Lord Beaconsfield gave for retaining the office. It was said that, in past times, great men and distinguished statesmen had held the office—men who had been of great use to the Government in matters of delicate negotiations, and so forth. Instances were given of the distinguished men who did hold the office; and it was said that, while the office was to be retained, the salary would not be drawn unless occasion arose when it would be a great advantage to fill the office with a statesman who had no other Cabinet cares to harass his mind, and who could give his whole and undivided attention to some particular negotiations and some particular affairs of State. That was all very well as far as it went, but that did not excuse the maintenance of a sinecure office. Besides, those expectations which had been held out had not been fulfilled. As far as could be made out, Lord Beaconsfield did draw the salary of Lord Privy Seal. [The CHANCELLOR of the EXCHEQUER: No, he did not.] He (Mr. Parnell) had thought he did, because the Appropriation Account, furnished with the Papers up to March, 1877, showed that the salary had been drawn. It was stated, at the same time, that the salary of the Secretary to the Lord Privy Seal had been surrendered to the Treasury, because that office of Secretary was not filled up by Lord Beaconsfield. Hence, he supposed, that as the salary for Lord Privy Seal was drawn, that Lord Beaconsfield had it, and he was glad to hear that he did not. At any rate, the salary was to be drawn this year, and the Nobleman who had been appointed to the office was of no use at all in the Cabinet. ["Oh, oh!"] Well, he should like to know whether the Nobleman who had been just appointed was such a man as Lord Beaconsfield described as deserving the office? Was he one of the most eminent public men of the day? Had he presided over the most laborious Departments of the Government, and were there duties which the Nobleman who was appointed to the office had to discharge which could not be indicated? These were the sort of claims which Lord Beaconsfield had said a Minister must have to be made Lord Privy Seal; but he saw nothing in the case of the present holder of the office to justify his appointment. The Nobleman might be an excellent man in every respect, and it might be desirable to get him into office; but, in this case, his appointment was evidently the mere exercise of patronage, and no advantage was to be derived from it.

MR. O'CONNOR POWER desired to know upon what principle they were asked to pay a salary and retain an office where there was no work to be done? As it was now a quarter to 1, he thought the best thing to do was to adjourn the discussion of the whole question; and, therefore, he moved to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O' Connor Power.*)

THE CHANCELLOR OF THE EXCHEQUER hoped the Motion to report Progress would not be pressed. There had been sufficient discussion on the subject, and he thought the Committee were perfectly ready to come to a Vote.

MR. O'CONNOR POWER said, if the Committee thought the Vote had been thoroughly discussed, he would not press to report Progress; but as it was getting on for 1 o'clock, and as they had been on the Estimates the whole evening, he thought the Government should not persist in discussing Votes any longer. It was unreasonable to expect a man to go on all night looking into these items. He would remind the Committee that the work of any earnest Member of the Committee did not begin when the Chairman of Ways and Means took the Chair. He began his work in connection with the Estimates at 11 o'clock that morning, and, therefore, a vast amount of labour had been entailed.

MR. O'CLERY said, when he saw £2,000 voted for a useless office, and remembered that a portion of the money came out of the pockets of the people of Ireland, he hoped the rejection of the Vote would be pressed to a division. In the very office where there was nothing to do the Chief Clerk had £350 a-year, which he supposed was given him to help the Lord Privy Seal do nothing. Then, the Private Secretary to the Lord Privy Seal received £120 a-year, and there was also a third office—that of Assistant Clerk. A foot-note to the Estimates showed that one gentleman held these two offices, so the fact was that the Lord Privy Seal's Secretary was Assistant Clerk to himself. The fact was that the Lord Privy Seal was a Minister without a portfolio, and he ought to be paid as such. As he had no work, practically, to do, he hoped the House would divide.

Motion, by leave, *withdrawn.*

MR. DILLWYN said, his hon. Friend the Member for Meath (Mr. Parnell) had said the salary of Lord Privy Seal up to March, 1877, had been drawn, and some explanation of that was needed. The hon. and learned Baronet the Member for Wexford (Sir George Bowyer) had said the office of Lord Privy Seal was an important one, but the Chancellor of the Exchequer did not value it. He told the Committee, as it had been told before, that it was a sinecure, and no good at all. Therefore, the hon. and learned Baronet was not supported in his view by the Leader of the House, who said the money was asked to be voted because it was usual to have a person to fill the office of Lord Privy Seal. He strongly objected to that. They desired to secure economy in the public services; but how could they do that when the highest offices were paid for when there was nothing to do? He thought nothing had been said to justify the continuance of the office, and, therefore, he should press his Amendment to a division.

SIR HENRY SELWIN-IBBETSON said, although the salary of Lord Privy Seal was voted in 1877, it was not drawn.

MR. PARNELL said, as he had introduced the matter of the salary being drawn in 1877, perhaps he might be allowed to explain. In the Appropriation Account for the year ending the 31st March, 1877, in a foot-note appended to the account, it was stated that the salary of the Secretary to the Lord Privy Seal was surrendered to the Treasury. That was accounted for by the fact that Lord Beaconsfield did not appoint a Private Secretary for the Lord Privy Seal. At the same time, the salary of Lord Privy Seal was not surrendered; consequently, it was drawn, and, of course, he supposed it had been drawn by the person who had power to appoint a Private Secretary and did not —he meant Lord Beaconsfield. As it was not necessary for the Lord Privy Seal to have a Private Secretary that year, why was it necessary to have one this year? Yet the salary of the Private Secretary was provided for in the Vote now before the Committee.

Original Question put.

The Committee *divided:*—Ayes 80; Noes 33: Majority 47.—(Div. List, No. 111.)

Resolutions to be reported upon *Thursday.*

Committee to sit again upon *Wednesday.*

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 2) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to confirm certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Ardglass, Boddam, Lochmaddy, Montrose, Southsea, and Youghal.

Resolution *reported :* — Bill *ordered* to be brought in by Viscount SANDON and Sir HENRY SELWIN-IBBETSON.

Bill *presented,* and read the first time. [Bill 159.]

House adjourned at a quarter after One o'clock.

HOUSE OF COMMONS,

Monday, 7th May, 1878.

MINUTES.] — SELECT COMMITTEE — Army, Royal Artillery and Engineer Officers (Arrears of Pay), Lord George Hamilton *re-appointed ;* Public Works (East India), Lord George Hamilton *re-appointed.*

PRIVATE BILL (*by Order*)—Bermondsey Vestry 2°, *put off.*

PUBLIC BILLS—*Ordered*—Elementary Education Provisional Orders Confirmation *; Artizans' and Labourers' Dwellings Provisional Orders *; Local Government Provisional Orders (Droitwich, &c.) *; Local Government Provisional Orders (Belper Union, &c.) *; Local Government Provisional Orders (Boldre, &c.) *; Local Government Provisional Orders (Abergavenny Union, &c.) *.

Second Reading—Congé d'élire [110], [House counted out].

PRIVATE BUSINESS.

BERMONDSEY VESTRY BILL.

[*Lords.*] (*By Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. STANSFELD, in moving that the Bill be read a second time this day six months, said, its objects would be found described in Clause 5, which was to this effect—

> "It shall be lawful to the Vestry, and they are hereby required, within six months of the passing of this Act, to purchase and transfer to the said Ecclesiastical Commissioners for England, in consideration of the abolition of the said Easter offerings, a sum of £6,666 13*s.* 4*d.* Consols ; and upon such transfer being completed, the said Ecclesiastical Commissioners for England shall hold the said sum of Consols upon trust to pay the dividends from time to time accruing thereupon to the Rector of the said parish, and his successors, Rectors of the same parish, for ever."

Therefore, the object of the Bill was to impose a perpetual charge of £200 a-year on the general rates of the parish of Bermondsey for the payment of the Rector of that parish. He (Mr. Stansfeld) must state to the House a few facts in connection with the origin of these proceedings. In 1826, a Bill was introduced and passed, the object of which was to provide for some expenses in connection with the building of the tower of the church of St. James, in the parish of Bermondsey ; and, by the same Bill, the trustees were empowered to receive —if the raising of the money had been approved by the inhabitants in vestry assembled—two sums, one of £150, which was to go to the Incumbent of the district church of St. James, and the other of a sum not exceeding £200 per annum, which was to be assigned to the Rector of the parish of Bermondsey. It was at the discretion of the ratepayers to make this annual offering which the Rectors must accept in lieu of Easter offerings. In 1831, an Act was passed to provide an additional sum of money ; but that had no special bearing on this matter. The capital sum for paying for the tower was raised by a number of annuities which had all expired, and that was no longer a charge upon the ratepayers of the parish. As to the £150, that had been voted only once since 1826. As regarded the £200, although it had been annually voted, according to his information, of late years questions had arisen respecting the payment. This voluntary and discretionary rate had become more or less a bone of contention, and it was only by bare majorities that it had been decided to come to this House to ask that the discretionary power should be put an end to, and the levying of the rate made compulsory for all time. Let them look for one moment at the successive stages of this transaction. In 1826, the inhabitants of Bermondsey, in public vestry assembled, were authorized, if they chose, to present to the trustees a yearly sum, not to exceed £200, which the Rector was to accept in lieu of Easter offerings. That was a wholly voluntary matter. Then, some 20 years later, came the Metropolis Management Acts; and these deprived the inhabitants of Bermondsey of this discretionary right, because all the functions of the open vestry were handed over to the close vestry. Of late years some question had arisen, even in the vestry so chosen, as to the payment of the £200; and now the vestry asked that their successors should be deprived of their discretionary right, and this was done at the very time when the annual elections for the parish of Bermondsey were taking place, and this question was being made part of the politics of the contests. Therefore, if this Bill was read a second time, and was referred to a Select Committee, it might have to be withdrawn after all, provided the new vestry was opposed to it. Under these circumstances, he considered it was not, in the first place, consistent with respect to the House of Commons, and to the individual Members who might be asked to serve on the Committee, that a Bill should be promoted at a time when elections were going on in reference to it, and which elections might end in the Bill having to be withdrawn. He must also take another objection, and that was to the form in which this Bill had been introduced. It was highly improper that a measure involving the principle which this Bill did should be introduced as a Private Bill. They had abolished church rates, and he did not suppose anybody would propose to return to that system; but the proposal of this Bill was something far more objectionable, from the point of view of those who objected to church rates, than any church rate could be. This rate was to be imposed, not in order to maintain the fabric of the church, but for the sake of paying a sum in perpetuity to the Rector who should minister in the church. He did not know whether it was right that he should offer any suggestion as to what would be the proper course to take; but it would be more frank, perhaps, if he did so. Therefore, he would say, that in his view, what he would call the Halifax precedent ought to be followed. A few years ago, the case of the Vicar's rate, in Halifax, caused a good deal of feeling to arise. The subject was inquired into, and the result was the passing of a Bill which repealed an Act of 1828, and abolished the rate as far as it was a charge upon the occupiers of houses, and as far as it represented Easter offerings. Then the wealthy members of the church came forward and subscribed a certain sum, and that was the course which ought to be followed in this case. Let the wealthy members of the church in Bermondsey subscribe this sum of £6,666, and all objections would then be withdrawn. If any doubt or question existed in the minds of hon. Members as to the statements he had made, the best course would be to appoint a Committee to investigate the subject. For the reasons he had stated, and asking the House to bear in mind that within 10 days the vestry elections in Bermondsey would take place, he would conclude by moving the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Stansfeld.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. GRANTHAM said, he hoped to be able to show that the House ought to pass this Bill. He had little to complain of in the statement of facts which the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) had placed before them, but he had not told them all. He said the raising of this £200 was optional. Now, that was scarcely the fact; for, if the right hon. Gentleman had gone a little further back in the history of the case, he would have found that originally there was a sort of poll tax of 4*d.* per head, which the Rector had a right to levy upon all the inhabitants of the parish over 16 years of age. Subsequently, the parishioners came to an arrangement to let the Rector have £200, in lieu of this tax, and which was spoken of as if it was in lieu of tithes; and for a great many years it had been understood in the parish that the money belonged to the Rector, and that the vestry had to find it. It was never intended as a gift from the vestry to the Rector; but it was always treated as his due. The endowment of the parish itself was only £17 a-year, and out of this the Rector had to pay £6 a-year to Queen Anne's Bounty, and, being a parish church, he could not have pew-rents. Therefore, for these reasons, the parish had been bound to pay the Rector the £200; and which sum had hitherto been paid for, he believed, nearly 200 years. When, in 1826, the Act was passed to which reference had been made, it was not only for the purpose of building a spire, but it created a special trust which was appointed to collect this fund, and the money had been collected under that trust up to the present time. The result, however, was, as now, that there was no other fund to be collected but this £200; that the collection of the £200 cost the parish nearly £120 a-year; and the vast majority of the parish—Liberals and Conservatives, Dissenters and Churchmen—now thought it was a pity they should continue to pay that £120, and they therefore had promoted the present Bill, which contained a new arrangement, by which they would be at once saved £20 a-year, and in 50 years the whole thing would be at an end; because, by raising £300 a-year on the security of the rates, they would be able to form a sinking sum of £100 per annum, which would in 50 years pay off the amount borrowed, and give the Rector for the time being £200 in perpetuity. He believed it was the almost unanimous wish of the ratepayers that this new arrangement should be carried into effect, and he hoped everyone in the House would see that it was the direct interest of the parish that the Bill should pass, and that the question should be solved and settled in the manner proposed. It had been stated that vestries were not elected for such purposes as these, and no doubt that was the case; but that afforded a reason why this Bill should pass, because it was not desirable that matters of this kind should have to be annually discussed by the vestry, and political cries made out of them. In this case the Rector had a direct claim upon the parish, and it was to be hoped the House would give their sanction to the arrangement which had met with the support of all shades of opinion in the parish. Churchmen and Dissenters, Liberals and Conservatives, were alike in favour of it, and it would be unjust if the House, to gratify an extreme section of its Members, should refuse the power of securing the advantages which this Bill would give them.

Mr. RAIKES: I have not much to say in answer to what has fallen from either the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), or my hon. and learned Friend who has just addressed the House (Mr. Grantham). I think both have fairly stated the facts of the case. What I wish, however, to point out is, that after all we must ask what are the civil rights involved in this question? The Bill is one which proposes to deal with a rate by capitalizing it, and it is promoted by a body which has now the power to levy that rate; and therefore the circumstances ought to be very exceptional indeed which would induce the House to refuse to sanction the second reading of the Bill. I do not mean to say there might not be circumstances which would justify the House in refusing to read such a Bill a second time, because questions of great public principle might be raised; but I still think the House will pause before agreeing to the Amendment of the right hon. Gentleman, because of an imagined analogy to the Halifax, or any other case. We all may have our opinion as to whether £200 a-year is, or is not, an enormous sum to give a clergyman whose parochial care includes many thousand persons; but I want the House rather to consider whether it would be fair to the parish of Bermondsey itself to reject this Bill at its present stage. The Bill has passed through the House of Lords, where it has been amended, and it has now been sent down to this House; and I think we might show our sense of the importance of the question, not by refusing to read the Bill a second time, but by taking an exceptional course with regard to it. The right hon. Gentleman has made a fair point in saying that it is possible during the next 10 days the constitution of the vestry by which this Bill has been promoted may be altered by the new elections which are about to take place, and that the new vestry might drop the Bill. It appears to me that may be met by our reading the Bill a second time, and then referring it to a Hybrid Committee—and I will undertake that such Committee is not nominated until 10 days have elapsed—therefore, no hon. Member of this House could then be put in the false position of being appointed on the Committee of a Bill which is not likely to be proceeded with. Allusion has been made to the Halifax case, and I would just say that there the Vicar's rate was disputed on the death of the Vicar in 1876. There was no Bill before Parliament at that time, but a Select Committee was appointed to consider the incidence of the rate; and they reported that the rate ought to be continued, in so far as it represented tithes, and that, as regarded Easter offerings, it ought to be abolished. But the ultimate settlement which was arrived at was not the outcome of the Report of that Committee. A certain sum was forthcoming in Halifax, which enabled those interested in the question to promote a Bill to meet the difficulty. I would now appeal to hon. Gentlemen opposite, whatever may be their opinions, whether Churchmen or Nonconformists, to bear in mind that this is not to be regarded as a question between Church and Dissent, in any way. It is a question whether you are to take away from the vestry of Bermondsey a right which they are entitled to put forward—namely, that of capitalizing this rate. They believe they can do it on advantageous terms, and I think this House will be departing from the practice hitherto followed, if they refuse to read such a Bill as this a second time. I think the more satisfactory course will be to allow the Bill to pass this stage, and then refer it to a Hybrid Committee in the manner which I have suggested.

Mr. WATKIN WILLIAMS would like to be informed of one fact—and that was, as to the relation of the parish of Bermondsey with this rate. Were the vestry under any legal obligation to enforce the rate, or were they merely empowered to make a rate if they thought fit to do so? As far as he, at present, understood the principle of the Bill, it was that the vestry of Bermondsey were under an obligation to make the rate, and that all they desired now was that this House should sanction some other mode of meeting that obligation. If, however, the vestry were under no legal obligation to make the rate, and could not be compelled to make it, then the Bill involved an important principle; and, although they were only dealing with a small sum of money, they ought to be careful how they set a precedent for the future.

Mr. DODSON thought the Preamble of the Bill answered the Question which had just been asked by the hon. and learned Member for Denbigh (Mr. Watkin Williams), and it was clearly a permissive rate, the parish having power either to make or refuse it. He was very reluctant to take part in the discussion of a Private Bill, and to come forward, even in a modified way, to oppose the suggestion made by the Chairman of Ways and Means; but the question really reduced itself to this—There was given to this parish some years ago a statutory power to make a rate—which was, in fact, a church rate—to pay the stipend of the Rector. But the power to make the rate also carried with it the power to refuse to make it, and there had been some idea of doing this by a portion of the vestry; and the majority seeing this, and that their majority was lessening, thought they had better take time by the forelock, and get power to make the rate a fixed charge while they could. Now, that was a proposition which, he thought, this House ought not to be prepared to assent to. There was a strong feeling in the parish on the subject, and the present elections were turning on the point. If the House were to agree to the suggestion of the Chairman of Ways and Means, they would involve themselves in a sanction of the second reading of the Bill; and, therefore, the course he would propose was that the Amendment should be withdrawn, and that the second reading of the Bill should be deferred for one month, by which time they would know the result of the elections, and they would see what the feeling of the new vestry was with regard to the Bill.

Mr. FORSYTH hoped the House would assent to the second reading, because all the objections which had been raised to it could be dealt with in Committee. He quite admitted that the vestry were not at present bound to vote the £200; but they had regularly done so for the last 40 or 50 years, and it was not right or decent that the question of giving the clergyman £200 should every year be made a bone of contention at the election of the vestrymen.

Mr. MOWBRAY thought, that of the two alternatives placed before the House, they ought to accept that of the

Chairman of Ways and Means; because, if they assented to the proposition of the right hon. Gentleman the Member for Chester, and postponed the Bill altogether for one month, it would stand very little chance of passing at all this Session.

Question put.

The House *divided*:—Ayes 117; Noes 122: Majority 5.—(Div. List, No. 112.)

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

NOTICES OF MOTIONS.

THE EASTERN QUESTION.

MR. CHAMBERLAIN gave Notice, that on an early day he would move the following Resolution:—

> "That this House, sharing the earnest desire expressed in the circular despatch of the Marquess of Salisbury for the good government, peace, and freedom of populations to which those blessings have been strange, condemns the policy of warlike demonstration which Her Majesty's Government has pursued, and is of opinion that the objects in question and an honourable and peaceful settlement of the existing difficulties will be best promoted by an European Congress, and by a frank definition of the changes in the Treaty of San Stefano which Her Majesty's Government consider to be necessary for the general good of Europe and the interests of England."

The hon. Member also gave Notice, that on Thursday he would ask the Chancellor of the Exchequer whether he would facilitate the discussion of the subject?

CAPTAIN PIM gave Notice, that on going into Committee of Supply he would move—

> "That an humble Address be presented to Her Majesty, praying her to take such steps as may be necessary to invite the immediate assembling in London of a Congress of Representatives of all the independent States of Europe, to determine the best means of preserving the general interests of Europe and of maintaining inviolate the sanctity of Treaties."

QUESTIONS.

INLAND REVENUE—DOG TAX (IRELAND).—QUESTION.

MR. CHARLES LEWIS asked the Chief Secretary for Ireland, Whether the Government is prepared to introduce a Bill to make the same alterations in the Dog Tax in Ireland as are proposed in the rest of the United Kingdom?

MR. J. LOWTHER, in reply, said, he must remind the hon. Member that the dog tax in Ireland was a source of local and not of Imperial Revenue; and, therefore, the most convenient form in which that question could be raised would be on the Grand Jury (Ireland) Bill.

FOOD AND DRUGS ACT, 1875—ADULTERATED LIQUOR.—QUESTION.

MR. A. MOORE asked the Chief Secretary for Ireland, What steps, if any, have been taken by the Irish Government to put in force the provisions of "The Food and Drugs Act, 1875," relating to the detection of adulterated liquor?

MR. J. LOWTHER: Sir, In 1875 and 1876 the Local Government Board in Ireland addressed circular letters to each of the urban and rural sanitary authorities, drawing their attention to the provisions of the Act, and making suggestions as to the steps that should be taken. In 1877 the Irish Government issued a circular to the secretaries of Grand Juries and town clerks of boroughs, informing them that police constables were authorized to assist the local authorities in carrying out the provisions of the Act. By the 13th section of the Act, it will be found that one of the duties of the constable so employed related to the very point to which the hon. Gentleman refers—namely, the detection of adulterated liquor. In case any mistake should have arisen, I have directed another circular to be prepared on the subject which will meet the case.

ARMY AND MILITIA RESERVES—FAMILIES OF RESERVE MEN. QUESTION.

MAJOR NOLAN asked the Secretary of State for War, What is the amount paid to or for each of the wives and children of the men of the Army and Militia Reserves lately summoned to the Colours; whether any complaints have been addressed to him regarding the insufficiency of the provision made for the maintenance of such wives and children; and, further, if he proposes to make any permanent or temporary addition to these separation allowances?

Colonel STANLEY: Sir, in answering the Question of the hon. and gallant Member for Galway (Major Nolan), perhaps the hon. and gallant Member for Sunderland (Sir Henry Havelock) will allow me to answer his Question at the same time. The amount paid for each of the wives and children of the men of the Army and Militia Reserves is at the rate of 6*d.* for each woman and 2*d.* per day for each child under 14 years of age. No complaints have reached me, officially or otherwise, with regard to the insufficiency of the provision made for the maintenance of such wives and children; although it is fair to say that reports have been received from individual members of Boards of Guardians calling attention to the subject, and saying that the question had been brought under their consideration. I have ordered a Return as to the number of women and children concerned. This Return has not yet come in, and, therefore, perhaps the hon. and gallant Member for Galway will repeat his Question to me on Monday. An order has gone out to alter the mode of payment. Payments, instead of being made monthly in arrear, as heretofore, will, for the future, be paid monthly in advance.

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT.

QUESTION.

Mr. WHITWELL asked Mr. Chancellor of the Exchequer, Whether the Indian Government has voted money for the conveyance of Native troops to British possessions in Europe; if not, out of what funds the expenses of such troops have been provided; and whether the Government intend to propose a Supplementary Vote to supply such funds; and, if so, how soon the Vote will be proposed?

The CHANCELLOR of the EXCHEQUER: Sir, I observe that, besides the Question of the hon. Member, there are two others on the Paper, both of which relate to the same subject. To a certain extent, I answered some portions of them yesterday by anticipation, and, perhaps, I may take this opportunity of supplementing what I then stated. The Indian Government has, for the moment, provided what is necessary for the fitting out of the expedition and the payment of the troops; and, as soon as we are in a position to do so, we shall be prepared to submit a Supplementary Estimate to the House to repay the whole of that expenditure, and to make such further provision as may be necessary for the support and pay of those troops. I am not at the present moment able to say how soon we can do that, but there shall be no unnecessary delay, and I hope it will be very shortly. The hon. Member for Hackney (Mr. J. Holms) asks under what Act or Articles of War the Native troops of India now serve, and whether they might serve in Europe, or the United Kingdom, or the Channel Islands? I gave a very brief answer last night, but I may now say that the Native troops of India serve under the Mutiny Act and the Articles of War passed by the Government of India. The authority under which the Indian Government proceeded in passing that Act, and in framing those Articles, is the Imperial Statute the 3 & 4 *Will.* IV. c. 25, which has been confirmed and kept alive since the transfer of the Government from the East India Company to the Crown by the Act 24 & 25 *Vict.* c. 67, s. 22, and which makes such Articles of War binding upon the Native troops who are under them, "wheresoever they may be serving." The Native soldier's oath binds him to go wherever he is ordered, by sea or land, and to obey all commands of the officers set over him. He may, therefore, be called on to serve in any part of Europe, as well as any other part of the world, and to serve under Indian Articles of War. But, as I stated last night, the settlement of the Bill of Rights and the provisions of 1 William and Mary, prevent his being brought into the United Kingdom in time of peace, unless it be with the consent of Parliament.

Mr. J. HOLMS: Will the right hon. Gentleman state whether they can be called upon to serve in the Channel Islands, although not in the United Kingdom?

The CHANCELLOR of the EXCHEQUER: Yes; I believe they can be called upon to serve in the Channel Islands.

Mr. E. JENKINS: May I ask the right hon. Gentleman a Question, with the view of clearing up a point of difficulty which has arisen out of his remarks yesterday. The right hon. Gentleman stated that the transfer of the troops from India was simply a transfer from one part of Her Majesty's Dominions to another; and now I beg to ask, If he will state for what part of Her Majesty's Dominions the Force is destined?

THE CHANCELLOR OF THE EXCHEQUER: Malta.

MOTIONS.

NATIONAL SCHOOL TEACHERS (IRELAND).—RESOLUTION.

MR. MELDON, in rising to call attention to the claims of the National School Teachers, and to move—

> "That 'The National School Teachers' (Ireland) Act, 1875,' and the other means adopted by the Government having failed to satisfy the just demands of the Irish National School Teachers, this House is of opinion that the present position of the Irish National School Teachers, and the discontent which prevails amongst that important body of public servants, calls for the immediate attention of Her Majesty's Government, with a view to a satisfactory adjustment of their claims,"

said, that the subject was one which concerned not only the well-being of at least 10,000 public servants, but also the educational interests of the entire country, and therefore it was of great importance. He did not propose to go into the general question, which had been discussed upon several occasions in that House, as to what were the nature of the grievances of which they complained; nor did he intend to seek to prove what those grievances were, which had really existed so far back as 1874, but to briefly refer to certain points affecting the question, which he hoped would command the attention of the House. He first introduced the subject on the 9th of June, 1874, when he called attention, in the first place, to the salaries of the National Teachers of Ireland, which he stated were quite insufficient for the work they did. He also then pointed out that they complained because no provision for them in their old age or any compensation was given upon their leaving their employment; and, in the next place, he further called attention to the fact that they could not efficiently and properly discharge their duties, inasmuch as they were not provided with residences near their schools, many of the teachers having to travel six or seven miles in some instances, in consequence of the arrangements for residences not being satisfactory. Upon the occasion he brought forward his Motion, the then Chief Secretary for Ireland, in reply to the discussion which was raised, asked the House to leave the matter in the hands of the Government, which would endeavour to meet the question; and upon this statement he (Mr. Meldon) was asked to withdraw his Motion, it being admitted that the grievances complained of did exist. Notwithstanding that there was great indisposition on the part of several of his supporters to withdraw the Motion, he ultimately consented to do so on the understanding that the Government would take the matter up; but down to the present time, with the exception of some alteration in regard to the residences, there had been no advantage given to the National Teachers. In the year 1875, the subject was again before the House, and the Chief Secretary had said, with reference to the training schools, that the emoluments of the teachers were not sufficient to induce them to remain in the service, and he had given it as his opinion that it would be the duty of the Government to improve their position. Subsequently, the National School Teachers' Act was passed. With regard to the question of the salaries of the teachers, the average amount in 1875 was about £43 a-year, and the Act in question, which was passed, increased the emoluments which could be earned by the teachers by way of the result system, and it was proposed that an increase of £120,000 a-year should be added to what the teachers then earned by way of results. He did not move this Motion in a way hostile to the Government, for he cordially admitted that, so far as one could judge, they were well-disposed towards the teachers, and the Act of 1875 had been of benefit to education generally, and for years to come the teachers would derive a very large amount of benefit from the exertions made; but he must say that both of the schemes which had been tried were only experiments so far as the teachers were concerned. In regard to the scheme of the Teachers' Amendment Act, introduced in 1875, the £120,000 was to be contributed towards payment of the teachers by results; but the Act did not provide for it being a certain payment, it being only conditional, over which the teachers had no control. The Act provided that the Boards of Guardians should have permission to vote, if they so pleased, out of the rates a sum of £60,000 for the purpose of remunerating the teachers, and the Government, in order to induce them to do so, promised to add an amount equal to that which was subscribed by the Guardians. Now, if the Boards of Guardians all over the country had contributed, the teachers would be entitled every year to the entire amount which they might have earned by results; but those Boards had done nothing of the kind. The Chief Secretary for Ireland, after the passing of the Act, had urged the teachers to go to the Guardians and endeavour to induce them to vote the money necessary, and the teachers had accordingly exerted themselves to the utmost to get the Guardians to become contributory. Well, in 1875 there were 163 Poor Law Unions in Ireland; and in that year 35 Unions in Ulster became contributory, and nine refused. In Munster 14 contributed and 36 refused, in Leinster 13 contributed and 27 refused, and in Connaught 26 refused, while only three became contributory; the total result being that, while in 1875 65 Unions were contributory, 98 refused to become so. In 1876, 70 contributed and 93 refused; but, in point of fact, it was not really open to the Boards of Guardians in all cases to vote themselves non-contributory until 1877. In that year 18 Unions ceased to contribute; in Munster only three voted themselves contributory out of 14 which had done so in 1875, and 47 refused to contribute; in Ulster only eight Unions became contributory, and 32 refused; and in Connaught 28 refused, while only one Union became contributory. Thus, out of 163 Unions, there were only 38 contributory in 1877, and 125 passed resolutions to the effect that they would not contribute—that being really the first year in which the Act had been fairly tested. On the 31st of March last, throughout the entire of Ireland, only 26 Unions were contributory, while 137 had voted themselves not contributory; and since that time he understood that the number of Unions voting themselves contributory was not more than 12 or 14. That state of things operated so that the teachers never knew at the beginning of a year what their salaries might be. When the Act was passed, it was stated by the then Chief Secretary for Ireland that it was only an experiment which he was willing to try as to whether money could be obtained for educational purposes, and that it was only a temporary measure. He (Mr. Meldon) contended that he had shown that the Act had thoroughly and entirely failed; and, even if it were not so, the system would be unsatisfactory, inasmuch as the remuneration of the teachers did not depend upon what they could do, but upon a system which had been fairly tried, had worked unsatisfactorily, and which had wholly failed. By it gross injustice was done to a large number of teachers of Ireland. The Act of 1875 had failed, and the teachers had not received the amount which by that Act it was intended they should receive. The result was, with all the assistance given by the Government, that the average salaries of the teachers was £50 a-year. Was such a sum fair remuneration for a National School Teacher, and a fair payment for a class of educated men, to whom the education of the youth of the country was intrusted? Upon the teachers depended a great deal what the youth of the country would become in after life, not only in educational accomplishments, but in social position; and how could it be expected to secure men of ability and good social position, men to whom the people would look up to with respect, for the miserable pittance of £50? And not only so, but this salary was dependent upon contingencies and circumstances over which the teacher had no control. In tributory Unions, they were dependent upon the will and wishes of the Boards of Guardians; so that it was clear their position was, at the present time, not such as was contemplated in 1875. The intention of the Act of that year was to augment the incomes by a sum of £120,000; but in 1876, the year when the Act worked most successfully, the amount contributed by the Unions was £30,499, and by the State £52,183, so that the only portion of the £120,000 in that year received was £82,682. There were then 70 contributing Unions, and now there were only 26; so that in the year gone by there would be a reduction of £20,333, and, notwithstanding all the exertions made, the amount reached only £62,349. It would be a great pity if the National system of education in Ireland should fail or receive a shock in consequence of the non-payment of teachers. The system introduced in 1875 was by way of trial, and up to the present time had proved a failure, and should be put aside, and could not be relied upon. In a speech of the Chief Secretary, in 1876, it was admitted that the success of the Act was not such as had been hoped, and that something must be done to meet the case of teachers in non-contributory Unions; but now, up to May, 1878, not one single thing had been done to redeem the oft-repeated pledge given by the Government to increase the emoluments of the National Teachers of Ireland. The National system, as compared with 1857, was working satisfactorily. In that year there were 5,337 schools in all Ireland, with an average attendance of 321,683 pupils; while, according to the Report of the Commissioners, there were, in 1876, 7,334 schools, and an average attendance of 416,586. That showed a satisfactory progress of classed or certificated teachers. There were 10,277 in the service, but the classing these showed the absolute necessity of doing something for the teachers. They were divided into three classes, one and two being again subdivided. Of these 10,000, there were of the first in the first-class, 243; in the second-class, 2,956; and 6,389 in the third-class. Surely that offered matter for serious consideration, and showed a state of things that should not be allowed to continue. Out of 10,000, only 243 were in the first-class, and this, although he could say immediately—and, indeed, the opinion was confirmed by the Report —that the teachers were men most competent and with high ability. The reason was, that the teacher joined the service in early life, when a remunerative salary was not an object; but, having had some years of State-training, he found opportunities for a better livelihood, and so left the service, instead of rising into the first-class. Last year 688 left the service, and there were no inducements to men of ability and talent to remain in the service. No doubt there was good ground for the system of education to work on year by year. The average attendance was increasing, and the standard of efficiency rising; but still, although the grievances of the teachers were admitted, nothing was done to meet their moderate demands. To show the inadequacy of the remuneration they received, he might mention that while the average pay of a teacher in England and Scotland was over £100, in Ireland it was £50 only. What was it that he now asked in their behalf? No more than he had asked in 1874—namely, £2 a-week for teachers of the first-class —not a high salary for educated men, and below the income of a tradesman— £1 10*s*. for those of the second-class, and £1 for teachers of the third-class. Surely that was a very moderate demand? With respect to the question of pensions, the teachers had a stronger claim still. He brought forward the question in 1874, when he received an assurance that it would receive the consideration of the Government. In March, 1875, he moved in the matter again, and the then Chief Secretary for Ireland (Sir Michael Hicks-Beach) said that the question of pensions was a difficult one; that the hon. and gallant Member for Longford (Mr. O'Reilly) had suggested a system of deferred annuities; that a scheme for the purpose had already received careful consideration; and that he was in communication with the Chancellor of the Exchequer as to the possibility of its being carried into effect. Subsequently, the Chancellor of the Exchequer consented to receive a deputation of the teachers on the subject. On that occasion, they were asked what they wanted? They had left their case in the hands of the Government; and not being, therefore, prepared for such a question, they could only reply that they wanted pensions, pure and simple. This was considered an extravagant demand; and, when he, shortly afterwards, asked a Question in the House in reference to the matter, that was stated as a reason for the whole thing having fallen to the ground. A congress of teachers from all parts of Ireland was then held at Dublin, and a second deputation waited upon the Chancellor of the Exchequer, and stated that the teachers were willing to accept whatever the Government would give them, and they mentioned the proposal as to the deferred annuities. That proposal was that each teacher should subscribe from the time he entered the service for a deferred Post Office annuity, and upon reaching a certain age, and still remaining in the service, the Government should supplement the amount subscribed with an equal amount; so that, for instance, say, that when a man reached 60, and had subscribed sufficient to purchase an annuity of £20 a-year, the Government would enable him to purchase an annuity of £40. Inquiries were then instituted as to whether the teachers, as a body, were willing to agree to this scheme. The response was that the entire body were willing that the deferred annuity system should be made compulsory. Then, as to the pension scheme, the teachers were led to believe that it would come into operation; but in this they had again been disappointed. The present system of gratuities to teachers on their retirement was most unsatisfactory. Teachers held on until they were almost dying, and the result was that the gratuity went to their friends and families. It was not too much now to hope that the scheme prepared in 1875 would be carried out, because the teachers were now in a worse position than in 1874. Since July last, however, they had not heard a word of the intentions of the Government, and, therefore, he thought he was not now pushing matters too far when he asked that the terms agreed upon a few years ago, with regard to salaries and pensions, should now be carried out. He did not dwell on the matter of residences, because he believed it was only a question as to the administration of the scheme brought in by the late Chief Secretary which prevented this point being settled. At present, only 20 per cent of the 10,277 teachers had residences. It might be asked of him—"What do you want?" He wanted for the three classes of teachers, £2, £1 10*s.*, and £1 a-week respectively secured to them. He wanted the principle of the Act of 1875 carried out, and that the teachers should have secured to them the sum of £120,000, which was to be added to their remuneration in the shape of results. He asked that the scheme of 1876, for providing them with pensions, should be carried out. That was all he asked; and he must say he thought that these unfortunate men, after having been kept waiting so long—ever since 1874—should not be put off any longer. He hoped he should not again have to worry the House on the subject. Unless better provision were made for the teachers, it would be more and more difficult to obtain the men fit for the purpose, and the cause of education must suffer proportionately in Ireland. The hon. and learned Gentleman concluded by moving his Resolution.

MR. RICHARD SMYTH: Sir, although my hon. and learned Friend the Member for Kildare (Mr. Meldon) has presented a very complete argument in favour of the Motion which he has submitted to the House, still I think it may not be unsatisfactory to make it clear that it has the support of the various sections of Irish Representatives. The movement for the increase of pay and the granting of pensions to Irish National School Teachers has made some progress since 1874, when my hon. and learned Friend, for the first time, submitted his proposals on their behalf. I must say that the right hon. Gentleman the present Secretary of State for the Colonies entered into the question with an evident desire to bring about a satisfactory settlement. Unfortunately, his measures were tainted with that permissive element which, if I may be allowed to express an opinion, has enfeebled our legislation in recent years. The right hon. Gentleman, however, was in earnest; and, whilst the special plans he adopted may not have brought us to the goal we desired to reach, they have cleared the way for some other measure which may prove more successful. We are entitled, also, to take some encouragement from the words which fell from the right hon. Gentleman the Chief Secretary in addressing a deputation recently in Dublin. I gathered from his words that he is well disposed towards the Motion now before the House, and that he will not be behind his Predecessor in endeavouring to advance the interests of Irish elementary education. If I had been framing the Motion, I would, perhaps, not have given it quite so personal an aspect as it presents; but my hon. and learned Friend, being a skilled Parliamentary tactician, has thrown it into that concrete form, which is generally the most practical, and, therefore, the most acceptable to the House. But this is not solely, or even principally, a question about National School Teachers. It is mainly a question about National Education. If we had no interest to consider but that of a class of public servants, and if the beginning and end of our discussion was to find out how we ought to treat them or pay them, then we might leave the whole thing to be settled by the ordinary laws of supply and demand. The teachers being shabbily treated could find their own remedy, and leave the Government to seek the services of such men as they could get for the money offered. No doubt of that; but what would become of education? The public interest would suffer, and it is from the point of view of public interests that we ought to look at this question. There are some works—such as cutting down a hill—which are only estimated by the amount done—so many cubic yards cut away, and it does not signify much how the thing is done if the work is accomplished; but, in education, everything turns upon the way in which the work is done, and, rather than have a set of incompetent men and women to carry on this work, it would be almost as well not to have it done at all. We shall very soon be face to face with serious difficulties in Ireland in the matter of education if the present discontent is not allayed. I daresay those who are already in the service of the country will hold on, as a general rule, because it is not easy for a schoolmaster or schoolmistress to adapt himself or herself to other employments. But the evil will be this—that the future supply will be cut off, and education will suffer. These are not groundless alarms; they are but too well-founded. Now, it so happens that Ireland wants some things —shall I say many things?—which Parliament is unwilling to grant, because they run counter to the prevailing political opinion, and are thought to be detrimental to Imperial interests. Well, that being so, I think this House of Commons would do wisely to indulge Ireland; I do not say do justice to it, for I believe in my heart that there is not an English or Scotch Member in this House who is not as anxious to see justice done to our country as any Irishman could be; but, if a sense of justice prevents you from doing certain things for Ireland which the people of that country would like to have done, we make bold to appeal to your sympathetic consideration when we have proposals to make which you do not oppose on the ground of principle. Of this class is the proposition now before you. It is a matter of detail, but of most important detail. Of course, money is always important; but this is more than money, it is the education which money buys that we are now considering. During the present Session, the House of Commons has not shown itself stingy in money matters. A current of unexampled liberality has been running along these benches, and all that my hon. and learned Friend is now doing by his Motion is to throw himself into the stream, and allow himself to be carried along in the current of Supplementary Estimates. I trust the House will pass this Motion, and that the Government will give effect to it; because it contains a proposal which violates no prejudice, is opposed to no recognized theory of government, and is, I hope, in harmony with the generous sentiments of this House. I second the Motion.

Motion made, and Question proposed,

"That the 'National School Teachers (Ireland) Act, 1875,' and the other means adopted by the Government, having failed to satisfy the just demands of the Irish National School Teachers, this House is of opinion that the present position of the Irish National School Teachers, and the discontent which prevails amongst that important body of public servants, call for the immediate attention of Her Majesty's Government, with a view to a satisfactory adjustment of their claims."—(*Mr. Meldon.*)

Mr. CHARLES LEWIS said, this was the fifth occasion during the present Parliament on which he had ventured to give his support to a Motion of this kind. He thought that hon. Members who did not represent Irish constituencies should recollect that this was in no sense a political or religious question. It was a subject on which the Representatives of all parties in Ireland were united. They ought also to recollect, that long before National Education in England was really dealt with, Parliament undertook to legislate for National Education in Ireland on altogether exceptional principles. It was in consequence of the manner in which Parliament had thus dealt with the subject, that this question came before Parliament and not before any local board. He did not deny that the principle of payment by results was a good one, so far as it tended to stimulate to energy and exertion. But it ought to rest upon the basis of a salary adequate for the ordinary wants of the teachers. Could it be a good thing that the teachers of Ireland should not have salaries adequate to their actual wants, and that they should be compelled to travel miles in the worst weather to attend to their duties, because no adequate provision of residences had been made for them. It was, he thought, quite clear, that while this was the case, the efficiency of the system of National Education must suffer. No doubt, an amount of local co-operation had been expected from passing the Act of 1875, but that had been only partial and incomplete; in fact, but one-sixth of the Unions of Ireland were contributory. He had strong reason for believing that even this result was a diminishing quantity. It did not appear to him that the onus lay upon hon. Members who supported that Motion of declaring in what precise way the object of the Government and of the Legislature in 1875 should now be carried out with respect to National Education in Ireland. The present arrangement as to the payment of teachers was most unjust, and they desired to remedy the evil. He asked the House cordially to support the Motion of the hon. and learned Member for Kildare, unless they received some counter-proposal from the Government to carry out the object they had in view. He observed that the hon. Member for Edinburgh (Mr. M'Laren) was looking uneasy. He had no doubt they would be told by him how much Scotland had done on behalf of education, and that the Irish were a thriftless nation. But he would ask the hon. Member to recollect the vast differences in the religious arrangements of Ireland and Scotland, and the difficulty of carrying out a system which could be so easily worked under totally different circumstances in England and Scotland.

Mr. M'LAREN said, he could assure his hon. Friend opposite (Mr. Charles Lewis) that he was entirely mistaken as to the direction of the remarks he (Mr. M'Laren) was about to make. He entirely approved of what had been said as to these teachers, and he thought it was perfectly fair and exceedingly moderate, if the National system were to be kept on foot, and its schools were to be maintained at all, that stipends of that amount should be paid. But, agreeing that the Government should do something in the matter, and that things should not remain as they were, the question was, what ought the Government to do? It was suggested that they should make an addition to the poor rate, but he would venture to suggest that a school rate should be levied all over Ireland in the same manner as it was levied all over Scotland, and those parts of England where school boards were established. The poorest parish in Scotland had its poor rate, including a school rate, levied upon it; every cottar and householder above £4 rack-rent paying his proportion; and why should not the rich landlords and the householders in Ireland also be made to contribute towards educating their tenants and their families? In the Report, which came out about a fortnight ago, there was a table of the sums received by all the public schools in Scotland for the last four years—and by public schools he meant those under school boards, and did not include the schools of the Church of Scotland, Free Church, Episcopalians, and Roman Catholics. In the last four years these school boards had spent over a million and a-half—£1,547,000. Of this amount, £430,000, or less than one-third, came from the Government, the school rates produced £598,000, and the school pence of the children amounted to £471,000. Then, there were about £63,000 of voluntary payments and items from other sources, so that the result was as he had said. He had not looked into the Report of the schools in Ireland recently; but, from recollection, he thought he was pretty safe in saying that the whole of the school pence in Ireland did not amount to more than £60,000, while the subscriptions were very small, and did not amount to more than £20,000; and there was no school rate, which showed that at present no large burden was cast either upon the poor children or the rich landowners, who might subscribe liberally if they chose. He contended, therefore, that in Ireland, just as in Scotland and England, a small school rate should be levied upon the owner, who should be entitled to recover one-half of it afterwards from the occupier. It should not be called a burden, because it would be a payment for the benefit of the people themselves; and, although there might be some grumbling at first, yet when it was done, he was satisfied that in a few years there would be no rate that would be paid more pleasantly, when it was seen that people were better educated. It might be said that Ireland was poorer than Scotland, and he admitted that it was so upon the average; but there were scores of parishes in Scotland as poor as the poorest parishes in Ireland, and yet in every one of these the school rates were paid. The other alternative was the vulgar expedient of asking the Chancellor of the Exchequer to find the money. Such a course as that was wrong in principle, and attended with most unhappy results. If the Chancellor of the Exchequer were to grant £100,000 for this purpose, Scotland would pay about £11,000, Ireland about £10,000, and England the remaining £79,000. He was not going to object to England paying £79,000 if she thought fit to do so; but if Scotland rated itself to the extent of £200,000 to £300,000 a-year, he did not see why it should also pay £11,000 to save the pockets of the landowners in Ireland, and to enable them to escape those rates which the landowners in Scotland and England paid without grudging. He therefore altogether objected to the plan of making the Chancellor of the Exchequer provide the money, and would recommend instead, that the plan of a school rate should be adopted.

SIR JOHN LESLIE said, that it was his intention to support the Motion of the hon. and learned Member for Kildare. He had for seven Sessions sat in that House and patiently listened to the merits of this question, and he thought that the claims of the National School Teachers to better salaries were just, and that no one would be found to disagree to that proposition. As to the amount to which the salaries should be raised, that was another question. It appeared to him that the original cause of the failure of the system in existence was that from the first—namely, in 1831—the salaries of the teachers were placed too low, and the Government had ever since failed to correct that mistake; instead of acknowledging the original error, they had endeavoured, by every ingenuity possible, to postpone doing anything. Two things were absolutely necessary for the success of the system of National Education in Ireland. One was the just and impartial administration of the National Education Board, the other was the high qualification of the teachers. With regard to the first, he regretted to say, that judging from local experience, and especially in the county he had the honour to represent, great dissatisfaction existed at the present time; but that, perhaps, was not the time to advert to that subject. However, there was but one opinion with respect to the excellence of the teachers, and he felt convinced that the moderation of the scale of salaries put forward by the hon. and learned Member for Kildare must commend itself to every reasonable mind. Knowing the practical mind and great judgment of the Chief Secretary for Ireland, he looked forward with some hope to hear him announce to-night that the *status* of the National Teachers should be immediately improved.

MAJOR NOLAN said, there could be no doubt that the teachers were very much underpaid, for this had always been allowed by the Government. Now, there were only two ways by which an increase of the payments to them could be effected. One was by levying a rate of some kind on Ireland, and the other was an augmentation of funds from the Exchequer. The latter plan had been denounced by the hon. Member for Edinburgh (Mr. M'Laren), who said that Scotland would have to pay a very large part of any increased sum which the Irishmen got from the Chancellor of the Exchequer. But, if the Irishmen succeeded in getting that sum, they would be only following the example of the Scotch Members. Since the present Government came into Office, the Education Estimates in Scotland had increased by no less than £340,000; while, if the object of the hon. and learned Member for Kildare (Mr. Meldon) was attained, only £120,000 would be granted. He admitted that Ireland obtained an advantage of £100,000, but Scotland had received £340,000. It could not be said that the Irish Members came begging to the Chancellor of the Exchequer, if they only asked to be put on a footing of equality with Scotland in this respect. It might, perhaps, be said, that before the additional sum of £340,000 was granted to Scotland, that country received less money for education than Ireland. This fact he granted, but at present Scotland was receiving a much larger sum than Ireland in proportion to her population. Scotland was receiving 3*s*. 1½*d*. per head of the population, while Ireland received only 2*s*. 4*d*. The difference of 7¼*d*. per head amounted to more than the £120,000 that was required in order to place the National School Teachers on a proper footing and to enable them to live in a respectable manner. He took the case of Scotland rather than England, for the latter had a much more dense population—twice as dense as Ireland—and, therefore, it was much easier to educate a given number of children than in Ireland. It was impossible to propose that a rate should be levied, unless Irishmen were to decide what kind of education should be given. If the Irish people were to be allowed to settle their own system of education, he would support the plan of a rate, if, as was practically the case in Scotland, they could choose their own education. If the Government would allow the details of the education to be settled by the votes of the Irish Members, he would also willingly consent to the proposal, and would also agree to a conscience clause, so that the opinions of the minority should be respected. But he knew there was not the slightest chance of the Government agreeing to such a proposal. There was another plan which might be followed—that of making the rate compulsory in Unions; but the same objection would apply there, unless the determination of the system of education was left to the elected Guardians only. It was unfair to levy a local tax for the education in Ireland, unless the local people were to have a voice in deciding how the tax was to be applied. In the present condition of Ireland, it was hardly possible to expect better results than those now presented. They would never get the same voluntary contributions in Ireland as were obtained in England and Scotland, yet the voluntary contributions in Ireland were much larger than was generally supposed, because many of them were never shown in Returns. For instance, the convent schools were maintained by voluntary contributions, and these never appeared in any Returns that were made. In his place of residence £10,000 were raised in voluntary contributions by religious orders for the education of the people. For the Government to levy a local rate was totally unfair, unless they allowed the people to have some control over its disposal. They ought, certainly, to give them the privilege, or put them on the same footing as Scotland. The Irish Members, in this matter, did not appear as beggars; for the people of Ireland contributed their fair share of taxes, and they simply asked that they should receive their fair share towards the National Education of their country from Government.

Mr. J. LOWTHER said, it was only fair that he should at once admit the very reasonable, and, he should add, the very conciliatory, manner in which the hon. and learned Member for Kildare (Mr. Meldon) had introduced this question. The hon. and learned Member had embodied his views in a Resolution, and had asked the House to adopt that Resolution. He (Mr. J. Lowther) confessed that, looking at the terms of the Resolution, it was not one which he was disposed to call in question; for he thought that a slight verbal alteration would obviate any differences that might arise between them. Before he went into details, he desired to point out one or two matters which he considered the hon. and learned Member had failed quite accurately to place before the House. He referred, principally, to his description of the treatment of this subject by Her Majesty's Government hitherto. It was quite true, as the hon. and learned Gentleman had observed, that promises were made by the Government in 1874 and subsequent years upon this subject; but he thought the hon. and learned Gentleman had rather overstrained his case, when he said that practically nothing had been done. The fact to which the hon. and gallant Gentleman the Member for Galway (Major Nolan) had referred—namely, that the contributions from Parliamentary Grants were now upwards of £100,000 more than they were at the time those promises of the Government were made—["No, no!"]—was in itself sufficient to show that the Government were quite prepared to consider the claims put forward by Ireland on this question. He believed he was strictly correct in saying that the Parliamentary contributions towards the promotion of National Education in Ireland were larger by £100,000 than they were in 1874. The hon. and learned Gentleman had referred to the Bill which had been introduced by his (Mr. J. Lowther's) right hon. Friend the present Secretary of State for the Colonies in 1875. That was a measure in which the Government attempted to meet the grievances of the National School Teachers. It proposed to enable Unions to contribute towards the support of the teachers; and, in the first year of its operation, 65 Unions, out of a total of 73, voluntarily contributed towards the object in view. Therefore, at the outset, the Government were justified in hoping that considerable progress had been made towards redressing the grievances which were then urged. He also thought that they were justified in hoping that practical results would accrue; but he must admit that these hopes had been disappointed, for the number of Unions contributing, instead of increasing, as they expected, had decidedly decreased, and the Act of 1875, therefore, had failed. Again, he must refer to the Act of the following year, which was an Act which placed non-contributory Unions upon the same footing as contributory Unions. That Act had been a decided success. [Mr. Meldon: It is not an Act, but a Regulation.] It was a Regulation which, unlike the Act of the previous year, which it supplemented, had led to very satisfactory results; because, while the sum contributed by Parliament had been considerable, the sum obtained from private sources had increased—a matter which was very commendable, and one which ought to be encouraged. He would like to remind the House that local efforts in Ireland in the cause of education did not correspond at all with those made by England and Scotland; and, therefore, any scheme framed by Government with the object of stimulating local effort ought to be viewed with satisfaction. The Government, therefore, had not only been anxious to do whatever they could to carry out their undertakings on the subject, but they had already done a very great deal towards it. The question of residences had been practically settled; while, as to the salaries of the National School Teachers in Ireland, the hon. and learned Gentleman had said that he would be quite content if the proposal he originally made was carried out—namely, that the first-class teachers should receive a salary of £2 a-week, the second-class £1 10*s*., and the third-class £1. If the hon. and learned Gentleman would refer to the figures in his possession, he would see, without going into the source from whence the income was derived, that, taking the average of the salaries received, the teachers were really in receipt of those sums. The question of pensions had also been raised, and as regarded it, he had avoided, so far, from referring to any of the sources from whence any augmentation of the incomes, or from whence pensions could be derived. He would admit that there was a great deal to be said in favour of a settlement of this question in the direction indicated by the hon. and learned Gentleman. His Predecessor, the present Secretary of State for the Colonies, had promised that the subject should be taken into the consideration of the Government, and it had accordingly been considered. He (Mr. J. Lowther) had only been a short time connected with the Department in charge of Irish affairs, and he could only say that he had been endeavouring to arrive at a settlement of the question. He could assure hon. Gentlemen that already the subject had engaged the attention of the Government, and he trusted that no very considerable time would now elapse before some satisfactory conclusion would be arrived at. It was in the hands of the Treasury, and there was no chance of its being indefinitely postponed. It had been found necessary to submit the figures bearing upon it to an actuary, whose Report, he trusted, would be in the hands of the Government before long. As he had said, he desired to refrain from speaking of the sources whence provision would be made for carrying out the object he had referred to, and other hon. Gentlemen had studiously done likewise. The hon. and gallant Member for Galway was the only exception, and he had boldly advocated the old familiar remedy of an addition to the Parliamentary Grant. That was a remedy which he (Mr. J. Lowther) thought the House would say Her Majesty's Government were not justified in holding out hopes of their intention to support. The hon. and gallant Gentleman had pointed out objections to certain sources; but he at once joined issue with the proposal of the hon. Member for Edinburgh (Mr. M'Laren), that compulsory rates should be levied in Ireland for these purposes, and not without reason; because local rates involved the essential element of local control. Various suggestions had been made to him, and he might mention, amongst others, one for the appropriation of a certain portion of the surplus arising from the Irish Church property. That, however, was a question for the consideration of the Government, and he should not like to commit himself upon the point further than to say it was being so considered. He had shown that the Government were fully prepared to carry out all the promises they had hitherto made on this subject, and he said that he hoped that before very long time had elapsed something definite would be arrived at. He thought that if the hon. and learned Gentleman who had introduced the Question would consent to a verbal Amendment which he would now suggest, the House might be spared a division on the question. If the hon. and learned Gentleman would consent to leave out in his Motion the words—"And the discontent which prevails amongst that important body of public servants"—for he (Mr. J. Lowther) could not assent by any means to the National School Teachers of Ireland being described as public servants, according to the general acceptation of the term, nor to that part which said that discontent prevailed amongst them, which he looked upon as an inaccurate assertion—the Government would give his Resolution their support, and he would promise that the attention of the Government should be engaged upon the subject.

Mr. MELDON said, he had no objection to omit the words to which the right hon. Gentleman objected. He should, therefore, amend his Resolution in accordance with the suggestion of the Chief Secretary.

Amendment proposed,

To leave out the words "and the discontent which prevails amongst that important body of public servants call," in order to insert the word "calls,"—(*Mr. James Lowther*,)

—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived*.

Word "calls" inserted.

Main Question, as amended, put.

Resolved, That "The National School Teachers (Ireland) Act, 1875," and the other means adopted by the Government, having failed to satisfy the just demands of the Irish National School Teachers, this House is of opinion that the present position of the Irish National School Teachers calls for the immediate attention of Her Majesty's Government, with a view to a satisfactory adjustment of their claims.

SALE OF INTOXICATING LIQUORS—LICENSING LAW.—RESOLUTION.

Mr. PEASE rose to call the attention of the House to the manner in which Licences for the Sale of Intoxicating Liquors are now issued, and to move—

"That, in the opinion of this House, it is inexpedient to issue in England and Wales, between the present time and the next Session of Parliament, any new licences for the sale of wine, beer, or spirits, 'to be consumed off the premises,' without the sanction, in the case of each new licence, of Her Majesty's Principal Secretary of State for the Home Department."

The hon. Member said, he was aware that the question had been a good deal before the House during the last few years, and he desired as briefly as possible to call the attention of the right hon. Gentleman opposite (the Home Secretary) to one particular point in connection with it. He would first say, however, that the system under which the principal licences were granted was most confused; indeed, any system more confused, it would be well nigh impossible to imagine. There were licences for selling strong beer of not less than 4½ gallons, retailers' licences to sell beer not to be consumed on the premises, licences to sell spirits not less than two gallons, licences to sell foreign wines not licensed to retail beer or spirits; retailers of wine rated under £50 to be consumed off the premises, and many others. Any Government that turned its attention to the subject of licensing should endeavour to effect a much more simple method of dealing with what were called "on" and "off" licences than at present existed. His present object, however, was to address himself more particularly to the granting of off-licences, which enabled the sale of liquors to be consumed off the premises. It was proposed to deal with these licences in the Bill which the present Secretary to the Treasury (Sir Henry Selwin-Ibbetson) introduced in 1868 or 1869; but the clauses bearing on the subject were lost in Committee. Since that time these licences had increased in an enormous ratio; in fact, unless their issue was stopped, the country would be flooded with them, The Returns before the House showed that, whilst the magistrates had hardly licensed any fresh houses, the licences granted by the Excise had increased in an enormous ratio. He would give the figures showing the increase in the granting of licences during the past seven years. The licences for selling strong beer in quantities of not less than 4½ gallons had increased from 6,510 in 1870 to 7,595 in 1877. The licences to retailers in beer not to be consumed on the premises had actually increased between the years 1870 and 1877 by upwards of 100 per cent—from 3,078 to 6,690—and the dealers in beer and foreign wine not licensed to sell by retail had increased by about 25 per cent. The Home Secretary had often asked whether drunkenness increased in this country? A Return, moved for by the right hon. Gentleman the late Member for Oxfordshire (Mr. Henley) of the convictions between 1871 and 1876, showed, that contemporaneously with the increase of off-licences, drunkenness had greatly increased throughout the country. The figures were as follows:—In Bradford 43 per cent, in Gateshead 159 per cent, in Halifax 122 per cent, and in Nottingham 363 per cent. On considering the Reports of the Inspectors of the Northern, Southern, and Midland divisions, one was driven to the conclusion that drunkenness had increased in the same proportion as the increase of licensed houses. Licences were granted by the Excise with scarcely any control on the part of the magistrates. The local authorities also stated that there had been an enormous increase in drunkenness amongst women. For instance, in Manchester, between the years 1858 and 1876, while the percentage of convictions of men for drunkenness decreased from 83 to 71, the percentage of convictions of women had increased from 16 to 28.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. PEASE, in resuming, said, the remedy he suggested for the evil he had described was what Lord Aberdare had proposed when he was unable to pass his licensing measure—namely, to suspend the power of magistrates to grant licences except with the consent of the Home Office. If, he would say in conclusion, Her Majesty's Government were ready to agree to the course proposed in his Resolution, he would best consult the convenience of the House by moving it.

Motion made, and Question proposed,

"That, in the opinion of this House, it is inexpedient to issue in England and Wales, between the present time and the next Session of Parliament, any new licences for the sale of wine, beer, or spirits 'to be consumed off the premises,' without the sanction, in the case of each new licence, of Her Majesty's Principal Secretary of State for the Home Department."—(*Mr. Pease.*)

SIR HENRY SELWIN-IBBETSON said, he did not wish in the least to dispute the assumption of the hon. Gentleman opposite (Mr. Pease), that drunkenness had increased in this country; though, as he had always stated, he looked with suspicion on figures, which it was easy to manufacture with reference to any towns or villages. With regard to the general question of granting off-licences, he was aware that a considerable number of complaints had come from magistrates throughout the country for some years past that their powers were limited under the Act of 1869, and that they were practically compelled to grant those licences almost broadcast. Under that Act, the magistrates were compelled to grant licences when certain conditions were complied with, and there was no question that a large increase in the number of licences granted had taken place. He had no reason to differ in the main from the opinions which he expressed in 1869. He held, then, that if the magistrates were to be entrusted with a discretion as to the granting of licences for the consumption of drink on the premises, it was no unreasonable thing to say that they were capable of dealing with all classes of licences; but it was not the pleasure of Parliament to adopt that view of the measure, and the present system was adopted giving the discretion to magistrates only in cases where the drink was to be consumed on the premises. He was prepared at this moment to admit that a great deal could be said for dealing with off-licences regarding the sale of spirits and beer in open vessels; but, since 1869, his experience had convinced him that with regard to the sale of beer in sealed vessels, and of wine in bottles, the difficulties he foresaw then as to the general sale under "off" licences did not apply. He believed the wine licence was not abused to the extent of the spirit licence, and did not to any extent affect drunkenness. Two years ago, a Select Committee of the House of Lords was appointed to investigate the whole of the question. An immense mass of evidence had been submitted to that Committee; but it had not yet presented its Report, and it would, therefore, be unwise until it did to attempt to legislate on that subject. Another consideration which, in his mind, militated against the Motion, and which could not be overlooked, was, that at this period of the Session, they could hardly hope to deal with much advantage with any further measures than those already before the House. In those circumstances, and not from any hostility to the general object which the hon. Member opposite had in view, but because the present was not an opportune moment for dealing with the subject, he begged to move the Previous Question.

Previous Question moved, "That that Question be now put."—(*Sir Henry Selwin-Ibbetson.*)

MR. PEASE, in reply, said, he had been in hopes that the hon. Gentleman would have so far supported him as to bring in a Suspensory Bill with respect to licences for the sale of beer and spirits in open vessels. He had done his best in calling attention to the subject. He had no wish to take any further responsibility in the matter, and he left it on the shoulders of the Government, feeling perfectly assured that either the present Government or their Successors would have to deal with this very important question.

Previous Question put, and *negatived.*

ELEMENTARY EDUCATION PROVISIONAL ORDER CONFIRMATION BILL.

On Motion of Lord GEORGE HAMILTON, Bill to confirm a Provisional Order made by the Education Department under "The Elementary Education Act, 1870," to enable the School Board for Mickleover, in the county of Derby, to put in force "The Lands Clauses Consolidation Act, 1845," &c., *ordered* to be brought in by Lord GEORGE HAMILTON and Sir HENRY SELWIN-IBBETSON.

Sir Henry Selwin-Ibbetson

ARTIZANS' AND LABOURERS' DWELLINGS PROVISIONAL ORDERS BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board under the provisions of "The Artizans' and Labourers' Dwellings Improvement Act, 1875," relating to the boroughs of Devonport and Newcastle upon Tyne, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

LOCAL GOVERNMENT PROVISIONAL ORDERS (DROITWICH, &C.) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board under the provisions of "The Gas and Waterworks Facilities Act, 1870," and "The Public Health Act, 1875," relating to the borough of Droitwich, the Local Government district of Ilkeston, the borough of Saffron Walden, and the Local Government district of Tow Law, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

LOCAL GOVERNMENT PROVISIONAL ORDERS (BELPER UNION, &C.) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the rural sanitary district of the Belper Union, the borough of Burnley, the rural sanitary district of the Chesterfield Union (two), the Local Government district of Ilkeston, the Improvement Act district of Lytham, the Port of Milford, the Local Government district of Rhymney, the rural sanitary district of the Rugby Union, the Local Government district of Ryton, the rural sanitary district of the Saint Asaph Union, the Port of Sunderland, the borough of Swansea, and the Local Government district of Tunbridge Wells, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

LOCAL GOVERNMENT PROVISIONAL ORDERS (BOLDRE, &C.) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board under the provisions of "The Poor Law Amendment Act, 1867," relating to the parishes of Boldre and Birmingham, and to the townships of Old Accrington and New Accrington, and certain Orders of the Local Government Board under the provisions of "The Divided Parishes and Poor Law Amendment Act, 1876," relating to the parishes of Bolnhurst, Keysoe, Little Staughton, Minster, Pertenhall, and Saint Lawrence, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

LOCAL GOVERNMENT PROVISIONAL ORDERS (ABERGAVENNY UNION, &C.) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the rural sanitary district of the Abergavenny Union, the Improvement Act district of Bradford (Wilts), the Local Government district of Brigg, the boroughs of Brighton and Cheltenham, the Local Government district of Ebbw Vale, the Improvement Act district of Leek, the boroughs of Liverpool and Preston, the Local Government district of Saint Columb, the borough of Tiverton (two), the Local Government district of Tredegar, and the special drainage district of Warlington, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

ORDERS OF THE DAY.

CONGE D'ELIRE BILL—[Bill 110.]

(*Mr. Monk, Mr. Forsyth, Mr. Assheton.*)

SECOND READING.

Order for Second Reading read.

Mr. MONK, in moving that the Bill be now read a second time, said, he would not trouble the House at any great length, as he had fully explained the object of the measure last year; when, owing to the want of time, the Bill was talked out on a Wednesday afternoon. But there was one alteration in the present Bill as compared with the one he had introduced on previous occasions. The former Bills were drawn on the model of the Acts of Edward VI. and of Elizabeth, by which all Bishoprics were made donative by Letters Patent of the Crown. Under those Bills, there was an elaborate machinery for the consecration of Bishops under the severe penalties of *præmunire.* Now, he had entirely redrafted the Bill, and omitted all the penalties of *præmunire,* framing it on the model of the St. Alban's and the Truro Bishoprics Acts, which had been passed under the auspices of the Home Secretary. Therefore, he hoped that the objections which had been taken by the hon. Member for the University of Cambridge (Mr. Beresford Hope) and others to his Bill had been obviated. He need not point out to the House how great a sham and mockery was the present mode of election—the name of the person to be elected was given in the letter-missive to the dean and chapter, and he was to be elected under the penalty of *præmunire.* Such eminent Judges as Lord Chief Justice Denman, Justice Patteson, Chief Justice Erle, and Justice Coleridge, and among Bishops, Bishop Phillpotts and the late Dr. Thirlwall, Bishop of St. Davids, had condemned that method of election, and he hoped that the opinion of the House would be equally distinct. The whole principle of the election of Bishops by dean and chapter had, in fact, been given up by the recent Acts under which the Bishoprics of Truro and St. Alban's had been founded. In those cases, the Queen had been enabled to appoint by Letters Patent without further proceedings. One of the objects of the Bill was to relieve the dean and chapter from the cruel position in which they were placed by law, of being obliged, under the heavy penalties of *præmunire,* to assent to an appointment of which they might not approve; and with that object, and with the wish, also, to make the Advisers of the Crown alone responsible for the selection of Bishops, he begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Monk.*)

Mr. J. G. HUBBARD, in moving that the Bill be read a second time that day six months, said, that he concurred with the hon. Member in hoping that the Church of England might not lose her reality; but, in order that it might continue to be real, the Episcopate ought to be real also. In dealing with the question before the House, it was necessary to look back to the origin of the form which the hon. Member desired to abrogate. The House would remember that originally the Clergy and Bishops of the Church of England were in communion with Rome, and, consequently, under the patronage of the Pope; and that Henry VIII., while he desired to emancipate the Church from that connection, did not wish to do away with the Episcopal character of the Anglican ordination; but demanded only that the Bishops should be acceptable to himself — especially as the Bishops were under stringent oaths of allegiance to the Pope. It was natural, then, that he should appeal to the deans and chapters to elect persons whom he could approve. No doubt, the penalties of *præmunire* were not light, and had seldom or never been incurred; but that was no reason why they should be abolished, or even why they should be considered undesirable. He based his defence of the existing system on the fact that it maintained the popular principle of election in the Episcopate of the Church of England. Then, again, an appointment might be absolutely at variance with the interests of the Church, so as to provoke a refusal from the elective body. Many persons thought that was the case with the appointment of Dr. Hampden, against which the dean and chapter protested, though they ultimately submitted; but, in other cases, the defect of the nominee might be not merely theological, but a serious canonical disqualification. What if the Crown, in its absolute action, backed by the influence of the Prime Minister of the day, were to present a Roman Catholic Ecclesiastic to a Bishopric? Of course, the dean and chapter would refuse to assent to such a nomination; and, though the exercise of their discretion might be never or very rarely necessary, he objected to the removal of such a safeguard. The greatest evil resulting from the present state of the law was a slight delay in the appointment of no great consequence. The House should bear in mind that the system of electing Bishops through a *congé d'élire*, qualified by a *præmunire*, was devised to counteract the influence of Rome, and was not intended to fetter the free exercise of the functions of the dean and chapter. It was clear, from a work published in 1536, entitled *The Institution of a Christian Man*, and dedicated by Cranmer to King Henry VIII., that the discretion lay with the dean and chapter, who were enjoined to approve the presentee of the King, or else reject him for his demerits. They exercised their discretion under great responsibilities, and under penalties if they needlessly set themselves against the law, though the law would justify them in resisting an improper appointment. The direct appointment by the Crown to the recently-created Sees of Truro and St. Albans, was inevitable in the lack of a dean or chapter; but the Patent and the Law distinctly contemplated their subsequent provision. The safeguard of a *congé d'élire* was one that ought to be retained; and, as it acted, no greater inconvenience followed than a slight delay, to be balanced against an important Constitutional principle. That being the case, he hoped that the House would not alter the law, but would read the Bill a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. J. G. Hubbard.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. ASSHETON rose to address the House in support of the Bill, when——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, 8th May, 1878.

MINUTES.]—Public Bills—*Ordered*—Tramways Orders Confirmation (Glasgow, &c.) *.

Ordered — First Reading — Highways (South Wales) * [160]; Local Government Provisional Orders (Bournemouth, &c.) * [168]; Local Government Provisional Orders (Dawlish, &c.) * [167].

First Reading—Elementary Education Provisional Order Confirmation * [161]; Local Government Provisional Orders (Artizans' and Labourers' Dwellings) * [162]; Local Government Provisional Orders (Droitwich, &c.) * [163]; Local Government Provisional Orders (Belper Union, &c.) * [164]; Local Government Provisional Orders (Birmingham, &c.) * [165]; Local Government Provisional Orders (Abergavenny Union, &c.) * [166].

Second Reading—Tenant Right (Ireland) [31]; Absentee Proprietors (Ireland) [115], *debate adjourned.*

Committee—Report—Local Government Provisional Orders (Abingdon, &c.) * [142].

Third Reading — Adulteration of Seeds Act (1869) Amendment * [139]; Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation * [136], and *passed;* Pier and Harbour Orders Confirmation (No. 1) * [148], *discharged;* Bills of Sale * [129], and *passed.*

Withdrawn — County Courts [10]; Summary Jurisdiction (Ireland) * [114].

ORDERS OF THE DAY.

COUNTY COURTS BILL—[Bill 10.]

(*Mr. J. Cowen, Mr. Ripley, Mr. Rowley Hill.*)

SECOND READING. BILL WITHDRAWN.

Order for Second Reading read.

Mr. J. COWEN, in moving that the Bill be now read a second time, said *:

Sir, legal questions are too often left exclusively to the consideration of lawyers, and, whether it is intended or not, the effect of such restriction frequently narrows the discussion to technicalities. Professional men are apt to view the controversy from a merely class or sectional standpoint. They approach the issues involved—unconsciously, perhaps, but still they approach them—through the medium of legal verbiage and formalities. I do not wish to disparage the importance of forms. They have their uses and their value. It not unfrequently happens, however, that persons looking on behold the game better than the players. Men engaged in business, whose experience of law is as acute, if not as minute, may see—certainly they are made to feel — the consequences of defective judicial arrangements more than men who, immersed in details, view the working of our Law Courts only from the inside. In the observations I purpose making, in submitting this Bill to the House, I will speak more as the Representative of the non-professional and business classes than the legal. Within the last quarter-of-a-century great improvements have been made in our judicial system. Causes are now settled more on their merits, and less on technicalities. Law proceedings are less artificial and more direct. Every fair and candid critic must admit this change. It has been long in coming—too long. But, still, it has come. Our system is by no means perfect—not as good as it ought to be, not as good as it might be made with a little effort—but it is better than it was, and there are reasonable grounds for hoping that it will steadily, if slowly, improve in the future. There is no country in the world where the administration of justice is purer than in England. There are few in which it is more simple and certain. The main cause of complaint is its dilatoriness, and, in the Superior Courts, its costliness. The reforms that have of recent years been effected have only been secured at a great expenditure of time. The partial abandonment of the practice of taking evidence by affidavit, and the substitution of the better, but more tedious and prolonged, mode of abstracting it from witnesses verbally, has been a distinct gain to the cause of justice; but it has been an equally distinct addition to the labour of the Judges and the length of legal proceedings. A further addition has been generated by the increase, not only in the amount, but in the complications of our trade. Our large and complex commerce affords more ground for contention than the simple mercantile transactions of past years. The greater clearness in the law, and the confidence felt by the commercial community that their cases will be tried on their merits, rather than frittered away by ingenious quibbles, has led men in business to have less hesitation in submitting matters in difference between them to the settlement of our Courts. This, substantially, is the cause of the recent increase in litigation. I do not wish to detain the House by citing statistics to prove what all parties admit. No one denies the existence of a block of business in our Law Courts. No one disputes that much inconvenience and serious loss are occasioned thereby to suitors. The delay and consequent expense and uncertainty amount, in many instances, to a denial of justice. The sittings after the Long Vacation last year commenced with 800 causes for trial at *Nisi Prius* in Middlesex, and with 500 in London. There were before the Court of Appeal and the Divisions of the High Court, 330 appeals and matters of an appellate nature, and before the Chancery Division, the Common Law, and the Probate and Divorce Divisions, there were 1,709 causes for trial. It has been stated on good authority that there are more than 20,000 causes in the Chancery Division on which some order has been made, but which are dragging their weary way along—the costs growing in inverse proportion to the progress made. The appointment of a new Judge to assist the Judges in the Chancery Division has caused some relief there; but, after making every allowance for the slight improvement recently effected, I think that the hopes held out by the Law Officers of the Crown last Session, that the pressure of business would only prove temporary, have not been realized. The hon. and learned Attorney General thought the arrears would soon be wiped off; but it is not arrears alone that have to be dealt with. It is a steady and increasing stream of litigation that has to be kept flowing. By an effort, arrears may be cleared away; but what is wanted is to prevent such a constant recurrence of them. The fact that upwards of 1,000 causes were entered for trial at London and Westminster, at the last sittings after the Long Vacation, and that fully that number remain still for trial, is sufficient to show that it is not a temporary accumulation that has to be removed, but a systematic increase of work that has to be provided for. Experience has shown that since the new Judicature Act came into operation, new business has been set down faster than the old business has been disposed of. The full effect of the recent law reforms have not been realized, in consequence of the delay in the Courts, and the necessary expenses attending that delay. We travel by steam, and transact a good deal of our business by telegraph; but we still administer our law at a slow and antiquated pace. In no Department of the Public Service would such arrears of business be tolerated, and certainly in none of them would they be allowed to be disposed of at such an expense to individuals. How is this evil to be remedied? Eminent jurists have often maintained that the only real remedy for this legal congestion is to be found by distributing the business. The Lord Chancellor, in a speech he delivered at the Mansion House in November last, condensed the question into a couple of sentences. He said, referring to law reform—

> "We have got to grapple with the great problem of how to secure throughout every part of the country that which is already possessed by the City of London—a regular and speedy mode of trial for those who are accused of offences. We have also to solve the problem how, in those great centres of population in the Provinces, we can afford more ready local means of disposing of their numerous civil causes."

Much of the business which now occupies a great amount of the time of the Superior Courts is comparatively unimportant, and could be equally as well, and far more cheaply, tried locally. Distribution should be the principle applied to the administration of the law. Concentration, or centralization, is required for control, for uniformity, for appeal, and for the authoritative exposition and settlement of the law. In law, as in government, the authority which is most conversant with principles should be supreme over principles; while that which is most competent to deal with details should have details left to it. A true national Court of Justice could best be formed by establishing District Courts of the High Court, by dividing the country into circuits, in each of which there should be a resident Judge of the High Court with a sufficient staff, and where every branch of legal business might be transacted. But such a scheme should be proposed by the Government of the day. It would be presumption on the part of a private Member to initiate such a project. The Bill before the House points in that direction, but only in a tentative and modified sense. It proposes to establish seven principal County Courts, with districts assigned thereto, and these County Courts and these districts would together form a County Court Circuit. The seven circuits are—1. Liverpool and Manchester; 2. Leeds and Bradford; 3. Newcastle and Durham; 4. York, Hull, and Stockton; 5. Sheffield, Nottingham, and Derby; 6. Birmingham; 7. Bristol and Gloucester. The two first—Liverpool and Manchester, and Leeds and Bradford—it is proposed should have two Judges each. The other five circuits would have one Judge each. All the existing County Courts within these circuits would become subsidiary County Courts, and would be affiliated to the principal Court as members of branches. There would be attached to each principal Court one or more Assistant Judges, and such number of Registrars as the business might require. Power would be given to Her Majesty in Council, from time to time, to alter, extend, or consolidate the old circuits or to create new ones. Parliament would have the power of fixing the salary of the new Judges, and thus be able to control the action of the Crown. The salaries of the Judges of the principal County Courts would be £3,000 per annum, which would include travelling expenses. The Judges would rank next after the junior Judge for the time being of the High Court of Justice, and amongst themselves according to the order of their appointment. They might be placed in the Commission of Assize for the discharge of civil and criminal business on circuit, and would be qualified to be promoted to be Judges of the High Court. The restrictions and the liberties accorded to the Judges of the High Court would be accorded and imposed upon the new Judges. The salaries of the Assistant Judges would be £1,200 a-year, with travelling expenses. They would be required to reside in the district, and be prohibited from practising in any branch of the Legal Profession. Registrars would be paid by salary, and not by fee and salary as at present. The salaries would be fixed by the Lord Chancellor; but, in no case would they be more than £1,000 per annum. The principal County Court would have jurisdiction in Common Law, Equity, and Admiralty cases up to £500; and, by consent, to an unrestricted amount. Actions might be removed from the principal County Court to the High Court, and from the High Court to the principal County Court. A Judge of the High Court might send issues of fact to be tried in the principal County Court. Every principal County Court Judge would be allowed to exercise within his circuit—in addition to the ordinary powers of a County Court Judge and a Judge of the Court of Bankruptcy—all the powers and jurisdiction of a Judge of the High Court of Justice. The precise manner in which the judicial work of the Judges and Assistant Judges is to be divided would be settled by rules; but, practically, the Assistant Judges would be confined to trying actions for money not exceeding £20, unless with the consent of the parties, when the amount could be increased. They would substantially occupy the position that was intended to be occupied by the County Court Judges appointed by the original Act passed in 1847. It is not necessary further to particularize the clauses of the Bill, as hon. Members interested in it can familiarize themselves with it by reference. The principle embodied in it is the localization of the administration of justice. The mode in which this is sought to be put in operation would not involve any change in the Judicature Acts. It would only amplify and enlarge the authority of the judicial organization now in existence, and which for 30 years has worked with increasing satisfaction to the commercial community. If ever the project—so often discussed and supported by such a weight of judicial authority—for establishing a uniform Legal Judicature, is adopted, this Bill will have been found to clear the way for such an arrangement; for, with little more than a change of name and an assimilation of the rules of practice, the machinery of the principal County Courts could be transferred to the Supreme Courts in full working order, without trouble, without inconvenience, and without cost. The new Courts are intended to occupy an intermediate position between the present County Courts and the High Court. The Judges would sit in the principal Courts, and the Assistant Judges would travel between the subsidiary Courts. I know it is the custom for fashionable counsel to sneer at County Court Judges and the work they perform; but I make bold to affirm that no Department of our Judicial Service has won for itself so large a measure of confidence as the County Court system. County Court jurisdiction was established in 1847, and limited to £20. In 1850 it was raised to £50 in Common Law and £500 in Equity, and was made a concurrent jurisdiction. In Bankruptcy they have unlimited jurisdiction. As showing the confidence of the commercial community in these Courts, I may state the number of causes between £20 and £50 that have been during the last three years tried in them. In 1874 there were 15,202 actions; in 1875 there were 17,273 actions; and in 1876 there were 17,378 actions voluntarily brought by suitors into the County Courts. The House should bear in mind that all these actions were optional. They might have been taken elsewhere. But the litigants had confidence in these tribunals, and freely carry their contentions there. The number of the causes is not the only point of importance. Their character is noteworthy. Many of them involve matters of great nicety in commercial law, and which, if debated in Westminster Hall, would have occupied hours, and not unfrequently, the Judges would have taken time to consider their decisions. Yet the number of appeals from decisions in County Courts are comparatively few, and they are affirmed as often as they are reversed. The total sum recovered in the Courts at Westminster and upon circuit in 1871—the last year there are Returns for—was £348,000; while, in the County Courts for the same year, the amount recovered amounted to no less than £1,330,000. The following analysis of actions tried in the year 1876 in the County Courts, whose districts are proposed to be comprised in this Bill, will show the extent to which such

Courts are voluntarily resorted to by suitors in the different localities. The figures are compiled from a Return presented to Parliament last year, on the Motion of the hon. Member for Hull (Mr. Norwood)—

Fees of Court. £	Circuits.	Common Law above £20.	Equity.	Admiralty.	Actions sent down.
(1)		LIVERPOOL AND MANCHESTER.			
7,943	5	306	10		3
15,117	6	532	7	56	23
10,925	7	278	6		5
10,350	8	317	13		40
4,053	9	113	9		3
48,388		1,546	45	56	74
Totals (2) 1,721; for each Judge 860					
(2)		LEEDS AND BRADFORD.			
7,050	11	429	29		17
9,601	12	412	21		12
19,206	14	769	25		19
35,865		1,610	75		48
Totals (2) 1,733; for each Judge 866					
(3)		NEWCASTLE AND DURHAM.			
6,766	1	512	11	24	16
8,914	2	324	8	18	7
1,338	15	67	3		..
17,018		903	22	42	23
Totals 990					
(4)		YORK AND HULL.			
6,648	15	466	4	4	8
6,605	16	460	12	31	5
13,253		926	16	35	13
Totals 990					
(5)		SHEFFIELD AND NOTTINGHAM.			
10,273	13	230	7		13
9,142	18	321	6		5
8,689	19	279	14		11
28,104		830	27		29
Totals 886					
(6)		BIRMINGHAM.			
17,243	21	490	12		29
490	22	12	1		..
3,184	23	129	5		5
9,232	25	259	19		5
30,149		890	37		39
Totals 966					
(7)		BRISTOL AND GLOUCESTER.			
2,045	52	178	3		1
3,258	53	242	12	5	1
9,022	54	472	22	8	5
14,325		892	37	13	7
Totals 941					

It would certainly be difficult to quote statistics which show more clearly the reliance which the public place in the County Courts than this Return reveals. The principle of the Bill is supported by very high legal authority. It substantially embodies the recommendation of the Judicature Commission. The Judicature Commissioners presented two Reports. The first dealt with the judicial and administrative powers of the Superior Courts, and the Judicature Act of 1873 was founded on the suggestions contained in it. The Second Report dealt with the County and Local Courts, and it has never received the attention that it is entitled to from Parliament. The Commissioners classify the subject-matters of litigation under three heads—Cases of great importance, cases of the simplest kind, and cases intermediate between these extremes. The Superior Courts, as re-organized under the Judicature Acts—with their elaborate machinery, their Judges and leading counsel of the highest ability and experience—are intended and adapted for the first class of these cases. County Courts, as established in 1846—with their local tribunals and simple procedure — are fitted for the second class. But there exists a class of cases in litigation, intermediate between cases of the highest importance and cases of the simplest kinds, and these frequently involve questions of complexity and difficulty. This is found as a fact by the Commissioners, who observe—

> "That the expense of litigation in cases of this class in the Superior Courts of taking the parties and their witnesses to any considerable distance from the place where the cause of action arose, and they probably dwell, is generally wholly diproportionate to the value of the matter in dispute."

I claim that the Bill before the House is covered by the recommendations of the Judicature Commission in the Report from which I have just read extracts. The Bill was printed last year, but there was not an opportunity of having a discussion on it. Before it was introduced this Session, the Bill was brought under the consideration of the local Law Societies, Chambers of Commerce, and other commercial associations in several of the large provincial towns. I have received resolutions approving of the principle from several bodies of this character, and also from many influential gentlemen connected with the law, who have taken the trouble to examine the Bill carefully. In nearly every instance—I do not remember an exception — the principle of the Bill has been warmly approved by these parties. Some of them have made suggestions as to the details, but they are unanimously in favour of the principle of the Bill. The Annual Conference of the Associated Chambers of Commerce, last year, passed a resolution in its favour, and they did the same this year at their meeting in London a few weeks ago. I have no wish to trouble the House by reading over the very voluminous correspondence I have had with provincial solicitors and commercial men who have interested themselves in the Bill; but I may be permitted to read the opinions of two eminent legal gentlemen, whose names I do not feel at liberty to mention, but whose remarks are well worth the consideration of the House. One of these gentlemen writes—

> "I think it premature to discuss the details of particular clauses of the Bill, and it is sufficient for the present to say that I approve generally of it. You will not understand me to refer to the money clauses, as to which I reserve myself, nor to speak of the exact rank to be given to the County Court Judges, as to which I have only got so far as to approve the principle of giving them some definite rank. I shall watch with much interest what takes place in the House of Commons both on its introduction and in its later stages. I think it is quite right to take this mode of feeling the pulse of the Government, the country, and the House of Commons, upon the whole subject. Of course, its success, and the ultimate attitude of the Government towards it, may depend much upon the way in which it is received by the public. I fear it will not find friends at Lincoln's Inn or the Temple, which makes it more necessary, if possible, to find them elsewhere."

Another eminent legal authority writes—

> "I agree generally both with the principle and the details of the scheme. I think you have not only put it in a form which will work, but also have so shaped it as to meet with the approval of lawyers, including the Judges, the Ministers, and laymen, many of whom keep an interested watch on the system. The default procedure is a clear gain, and hits a deficiency which I have often spoken of, and which is well known to Common Law Masters. As to the more important portions of the scheme, I entirely go along with you in principle. I am sure it is time to enlarge the jurisdiction of County Courts in actions for the recovery of money demands and others now dealt with by the Common Law Divisions of the Superior Court, and I believe you will have the support of Judges and others as to your jurisdiction clauses."

I could quote other letters of an equally approving character. I think I may claim, therefore, for the Bill, that the principle has behind it influential judicial, legal, and commercial approval. There are three objections that have been taken to it. The first is, that some important provincial centres, and the Metropolis, are left out of its operation. In reply to that, I have only to say that Schedule A, which specifies the districts which are included in the Bill, forms really no part of the scheme, and it could be altered in any way Parliament deems fit. With respect to the Metropolitan Courts, they could be admitted into the scheme on certain conditions; but it is well to recollect that the business transacted at the Metropolitan County Courts is very inferior in amount, and in character also, to that transacted in some of the large provincial towns. I have before me figures, supplied by a recent Return, which show the amount of business done in eight Metropolitan County Courts and eight County Courts in the Provinces. This analysis is instructive. It should be remembered as well that the Metropolitan County Courts have no jurisdiction in Bankruptcy, which constitutes one of the most important departments in the work of Provincial Courts.

Courts.	Causes above £20.	Causes sent down.	Equity.	Admiralty.	Totals.
Leeds	769	19	25	—	813
Newcastle ..	512	16	11	24	563
York	533	8	7	4	552
Birmingham ..	490	29	12	—	531
Hull	460	5	12	31	508
Bristol	472	5	22	8	507
Bradford ..	429	17	29	—	475
Halifax	412	12	21	—	445
	4,077	111	139	67	4,394
Westminster ..	356	67	8	—	431
Marylebone ..	297	40	13	—	350
Bow	210	19	10	—	239
Clerkenwell ..	195	31	10	—	236
Bloomsbury ..	194	29	3	—	226
Lambeth ..	192	10	7	—	209
Southwark ..	158	25	10	—	193
Whitechapel ..	69	8	3	—	80
	1,671	229	64	—	1,964

I have only to add that if the Bill gets into Committee, or the Government give it any support, there could be little difficulty in arranging, if it were thought well, to include the Metropolitan Courts in the scheme propounded by the Bill. The second objection is on the ground of cost. Considerable misapprehension is abroad as to the cost of Law Courts in this country. The cost of law proceedings to the suitors is heavy, and, I think, excessive; but the cost of the Courts to the nation—that is, the amount of money the Exchequer pays for the administration of justice—is comparatively small. It is not generally known, but it is a fact, that many of the Courts are more than self-supporting, and leave a margin in favour of the Exchequer. In other words, the fees received more than pay the salaries of the Judges and officials, and the working expenses of the Court. It was a theory of Mr. Jeremy Bentham that the administration of justice should be free, that the Judges and Courts should be supported by rates and taxes levied upon the inhabitants generally. According to that eminent jurist, a man should pay a legal rate just as he pays a police rate or a poor rate. Perhaps that principle will not get many adherents in the House, or probably in the country. But, while most people might object to throwing open the Courts of Justice free of all charge, I think there are many who would object to suitors being saddled with charges which go in mitigation of local or Imperial taxation. And yet this is largely the case with respect to the County Courts. A Return, made to Parliament last Session, furnishes the following figures from the seven Courts proposed to be raised into principal County Courts by this Bill. The amounts stated below were obtained and paid into the Exchequer—

	Fees paid into Exchequer.	Fees taken by Registrars.	
1.	£48,388	£5,959	
2.	35,865	4,325	
3.	17,018	2,395	
4.	13,253	1,697	
5.	28,104	2,205	
6.	30,149	3,075	
7.	14,325	2,062	
	187,092	21,718	£208,810

EXISTING CHARGES.

	Salaries of Registrars.	Fees, &c., as above.	
1.	£12,600	£ ,,	
2.	8,035	,,	
3.	6,875	,,	
4.	5,131	,,	
5.	9,172	,,	
6.	3,499	,,	
7.	4,708	,,	
	50,020	21,718	71,738
		Surplus	£137,072

In round numbers, the receipts paid into the Exchequer as fees received from suitors for proceedings in the County Courts comprised in this Bill, amounted, in 1876, to £208,810. This includes the fees received by Registrars for their own use. This is a growing amount, and likely to be considerably increased. The account stands thus—Received as fees, £208,810; paid to the Registrars for their own use, £21,718; leaving a balance, that goes into the hands of the Chancellor of the Exchequer, of £187,092. The charge upon this sum, which, as I have said, is yearly increasing, would be as follows, according to the present Bill:—First, salaries of Registrars, £50,000; second, fees of Registrars, £21,810; clerk hire, £21,000; for Assistant Judges, say, £21,000; in all, £113,810; which, taken from the £208,810, would leave a balance of £95,000 for payment into the Exchequer as an actual surplus arising from the Courts comprised in this Bill. Out of this £95,000, there would be the salaries of nine principal Judges, which would be £27,000. There would be a saving, further, of the travelling expenses of the Judges, because the principal Judges would only receive salaries, and not expenses, as the Judges do at present. The saving effected in this way would be equal to fully £4,000 per annum. It will be seen, therefore, that according to the present revenue arising from the Courts proposed to be dealt with, there is £95,000 a-year to meet little more than £23,000, so that the Bill could come into operation without imposing a single shilling in the shape of taxation upon the ratepayers. By simply using the revenues of the County Courts for County Court purposes, which no one could reasonably object to, the scheme now proposed would be worked without any additional charge to the Exchequer. There is one point deserving consideration, and that is, the salaries that are at present received by the Registrars of the County Courts. The County Court Judges each receive £1,500 a-year. That is their settled income. There are 11 Registrars, however, who receive a larger salary than the Judges, and there are 10 others who receive upwards of £1,200. The following is an analysis of the salaries and fees paid to certain Registrars of County Courts, together with the fees received by them as District Registrars of the High Court of Justice, and their allowances for clerk hire, in 1876:—

Courts.	Salary and Fees as Registrar.	Fees as District Registrar.	Totals.	Allowances for Clerk Hire.
	£	£	£	£
Birmingham	3,566	1,584	5,150	2,451
Leeds	2,864	772	3,636	1,365
Newcastle	2,832	739	3,571	375
Sheffield	2,672	676	3,348	1,091
Bristol	2,401	844	3,245	1,725
Manchester	2,768	—	2,768	1,390
Bradford	1,987	609	2,596	596
Stockton	2,080	124	2,204	630
Liverpool	2,100	—	2,100	2,605
Huddersfield	1,622	297	1,919	—
Nottingham	1,497	338	1,835	1,130

I do not blame the Registrars for getting these salaries. The amounts come to them in accordance with Act of Parliament, and no one would propose to deal with them without affording proper compensation; but it was never intended by Parliament that the Registrars should receive such incomes, and that their salaries should be so much in excess of the Judges of the Courts. It is a matter well worthy the consideration of the Chancellor of the Exchequer. Whatever may be the fate of the Bill before the House, in future, the salaries of Registrars might be somewhat more in proportion to their work. The last objection to the Bill I have heard is a purely professional one, and comes exclusively from members of the Bar and London solicitors. These gentlemen are said to fear that, by the establishment of these Courts, a considerable portion of the business that now gathers to the Metropolis, or that is carried to the Assize Courts, would find its way to the County Courts, and that, in this manner, their gains would be lessened. I do not impute to legal gentlemen the vulgar charge of striving to oppose legal reforms for mere mercenary and personal objects. Lawyers, like other men, look reasonably enough to their own interests; but I am sure that the members of the Legal Profession in the House would not consciously allow any private interest of theirs to stand in the way of what they conceive to be a national benefit. Their views may be warped by constant contact with Courts. They may not see the points at issue so clearly as commercial men do; but the insinuation that their course is guided by motives of gain, I entirely repudiate. I am satisfied that the objects proposed by the Bill, although they might diminish the incomes of certain barristers, and perhaps of certain solicitors, would benefit the Profession generally. The new Courts would have a tendency to call into existence more powerful local Bars, and what the London solicitors lost, their brethren in the country would gain. The facilities afforded for settling disputes cheaply and rapidly has always, in the past, brought a larger amount of litigation; and there is little doubt that the establishment of such Courts as are proposed would have that effect again. If the fear, therefore, is entertained that the formation of these Courts would injure a section of the Profession, I can only say I do not share it. As far as experience goes, it supports the very opposite opinion. But, suppose the result dreaded were realized, and that the lawyers' incomes were lessened, that would be no argument, in my mind, against the Bill. There was an old saying, that the man who paid the piper had a right to call the tune. The Law Courts were established for the benefit of the community at large, and not for the aggrandizement of a section. Their first, and, indeed, their only object, was to facilitate the settlement of disputes amongst the citizens of the nation. The creation of lawyers was not at first a part of the judicial system. It was an addition—some had been bold enough to say an excrescence—that had grown on to it. But, whatever might be men's views on that point, this was a fact—that the Law Courts were established for the benefit of the inhabitants generally, and not for the benefit of the members of the Legal Profession. If the change the Bill proposed did lessen their incomes or curtail their influence, that would not be any argument against it. The interests of the nation ought always to be preferred to the interests of a mere section or a class. With this statement of the principles of the Bill and partial exposition of its details, I leave it to the consideration of the House. I start from two premises which are all but universally conceded. First, that the Metropolitan Courts are overtaxed with litigation, and that in consequence of the pressure upon them, expense, inconvenience, and uncertainty is caused to suitors. Second, that it is desirable, in the interests of justice and for service of the Commonwealth, that a local judicature should be established, and that the constant tendency to centralize public offices, or, in other words, most of the intellectual, administrative, and legal power in the nation, is unwise. These are the points I base my argument upon. I maintain that the Courts proposed to be established could be put into operation without entailing any additional taxation, or without disturbing the existing judicial system; that they would be not only a source of convenience, but a great saving in expense to provincial suitors; that they would lessen the strain that is now put on Metropolitan jurors; and, that by the establishment of the Courts, a cautious but important step would be taken to realize the dream of law reformers for years past. They would also restrain the dangerous tendency to collect the business of the nation into the capital, and encourage and strengthen the principle, not only of legal, but of political, local control. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. Cowen.*)

MR. OSBORNE MORGAN, in moving that the Bill be read a second time that day six months, disclaimed any idea of disparaging the assistance which men like his hon. Friend the Member for Newcastle (Mr. J. Cowen) could render to the cause of law reform. He had always said that until men of such large experience and broad views took an interest in these questions of law reform, no real progress in them would be made. At the same time, he reminded the House that such men, necessarily taking what might be called a bird's-eye view of these questions, were likely to overlook many practical difficulties and impediments to the schemes they proposed, which those who travelled along the dusty and beaten road of practice could not so easily neglect. He fully endorsed what his hon. Friend had said as to the general ability of the County Court Judges; but, it must not be forgotten, that there was such a thing as working a good horse to death, and there was no surer way to do that than to put him to work for which he was not fit. Our County Court Judges were Judges of all-work. They had to travel from place to place; they had many actions of different kinds to deal with, but were not surrounded by a Bar, such as there was in London. Some of them would do honour to the Judicial Bench; but those men were only got by accident, and he doubted whether they were the class of men wanted for County Court work. What was required was a good administrator, rather than a good lawyer. To put such a man as Lord Cairns and Sir George Jessel to such cases as came before a County Court Judge would be like using a razor to cut blocks of wood. With regard to the Bill, he regarded it as wrong in principle, as crude in its conception, and as unworkable in its details. It did not deal either with the High Court of Justice, or with the County Court systems, except indirectly. In fact, it was not a County Court Extension Bill at all. It would establish a third kind of Judge, who would resemble the County Court Judges in so far as his jurisdiction was to be local, and who would resemble a Judge of the High Court inasmuch as his jurisdiction would be practically unlimited. He knew there was a clause which fixed the limit of jurisdiction at £5,000; but that limit was purely illusory, because a man who was fit to deal with matters involving £5,000 was fit to deal with matters involving £50,000. But, in addition, there was to be an Assistant County Court Judge, who was to be a kind of satellite moving round the Chief County Court Judge like a moon round a planet. Was it possible that such a system of wheel within wheel could work? According to the Bill, a solicitor of five years' standing might be made an Assistant Judge, and, having filled that office, he might be made Lord Chief Justice of England. Then, the operation of the Bill was of the most erratic and partial character, for it applied only to parts of the Kingdom—for instance, to a part of Northumberland, a part of Yorkshire, a part of the Midland counties, a part of Gloucestershire and Somersetshire; while all the rest of England was left out in the cold. A man living in Wells would have justice brought to his door; but a man living in Swansea, Cardiff, or Exeter, would have to come to London to get justice done. There would be separate jurisdictions all over England, and it was not to be supposed that such a system would work, even for a day. He could understand the system that prevailed among Continental nations, whose Courts of First Instance were local Courts, from which there was an appeal, and he could understand the English method of dividing matters according to amount or value between the local Courts and the Courts in London; but the Bill proposed to establish something different from either of these, and would create three different systems of jurisdiction running on parallel lines. It had been said that the Bill was the outcome of the Report of the Judicature Commission; but that could hardly be the case, for the provisions of the Bill were not in accordance with what the Commission had recommended. What that Commission proposed was to weld into one harmonious whole all the jurisdictions of the country; but this Bill made confusion worse confounded. True, the Bill was, in its nature, tentative and experimental; but the experiment would cost quite £113,000. He would admit that it raised the very interesting question of the comparative advantages of local and central jurisdictions. It had always struck him as remarkable that England should have so systematically refused to localize her system of judicial administration, considering how easy it was, so to speak, to bring Mahomet to the mountain; and he had constantly been surprised at the resistance offered to all attempts at localization. It could not, as was sometimes said, be due to the influence of the Legal Profession, for the interests of the country solicitors were all in favour of localization. He could only, therefore, infer that some deeper reason operated against the proposed change. Now, there were three requisites of justice. It ought to be reasonably cheap, reasonably expeditious, and reasonably uniform and certain. With regard to the first point, he would only remark that it was impossible to get it so cheap here as in foreign countries, owing to the much larger salaries which it was necessary to pay to the Judges and officials in this country; and, as regarded the question of fees to members of the Legal Profession, he contended that they were regulated by the ordinary laws of supply and demand. As to expedition, there was no doubt that, when the Judicature Act came into operation, there was a great block of business, both in Common Law and in Chancery. At that time, the Attorney General had said, on behalf of the Government, that it was evident the judicial strength was insufficient, and a new and exceptionally able Judge had consequently been appointed. The block of business had now disappeared, and the Master of the Rolls had told him that the pressure was so rapidly subsiding, that a Chancery suit, which, in the days of Lord Eldon, would have lasted for years, was now actually begun before him on the Tuesday and finally disposed of on the Saturday. At present, then, there was no block; and if one occurred, it could easily be met by the temporary or permanent appointment of more Judges. As for the uniformity in the administration of justice, he was afraid that would be endangered by the establishment of local Courts. A foreign jurist had said that England was the only country in Europe where a suitor could feel sure of having justice administered to him on fixed and unchanging lines. Probably, if the judicial system were localized, that inestimable benefit would be lost. Just as hard cases were said to make bad law, so, no doubt, here and there sound law made hard cases; but all Englishmen believed in the integrity of the Judges, who were, indeed, men of whom the country might be proud, and who administered justice fearlessly and impartially; but localize them, and there would be an end, if he might so speak, to that divinity which hedged those high authorities. He did not say that the County Court Judges would ever hob-nob with suitors; but, still, if those learned gentlemen lived in the centre of the districts where they had to administer justice, there would always be a vague suspicion which did not attach to the position of Judges at the present time. But the great defect of the Bill was, that under it we should no longer have the great body of our law tempered and kept in order and check by a great central power in London, who administered justice under the public eye, under the eye of each other, and, above all, under the eye of skilled advocates, who were always ready to note any shortcomings. There might, perhaps, be countervailing arguments in favour of the Bill; but, before so great a change was made, it would be necessary to overcome the difficulties he had mentioned. He begged to move that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words, "upon this day six months."—(*Mr. Osborne Morgan.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. GREGORY also opposed the Bill, while doing full justice to the motives and intentions of the hon. Member who had introduced it. He did not, however, think that the Bill would produce the results desired, and certainly should not have opposed it on other than public grounds. He had been told over and over again that alterations in the law would prejudice his own business as a solicitor, and, if these anticipations had been realized, he would have been ruined at least five times; but he had never been the worse for such alterations. No solicitor would object to any improvement of the law, for everything that tended to improve the law tended also to increase the solicitor's business, whatever might be the opinion usually held on that point. That, at any rate, had been his own experience; and, with that view, he should support any measure that he believed would have a good effect. But he could not say that that was his opinion of the Bill before the House. The scope of the Bill was too great and comprehensive in one respect and too limited in another. In the first place, it was proposed to create nine Judges and a certain number of Assistant Judges; and yet the Bill seemed to apply only to a part of England and to ignore the West and the South. Again, the effect of the Bill would be, that in the great majority of cases, the Judges would not only be Judges of First Instance, but much of their time would also be occupied in hearing appeals from the Assistant Judges. Their sittings would be necessarily confined to the principal towns, and the administration of justice would practically centre in those towns where the Judges sat. What, then, would be the practice of the Courts? A certain number of solicitors were, of course, in the great towns; but a large number, and many of them of the highest standing, of the members of the Profession were in small towns and villages, and they would have either to go to the towns where the Judges sat, or else to commit their business to agents. The present practice in the Superior Courts was to employ some agent in London, by whom the business was conducted; but, instead of that, it would be necessary to find agents in towns where it would answer the purpose of very few to maintain a competent staff for the conduct of the business, in addition to which there was a dislike on the part of solicitors to hand over their business to agents who themselves practised in the district. Besides, it would be found that there was no necessity for the change now that London communicated directly with all parts of England; and in the Provinces, as everyone knew, the communications were lateral and dilatory, so that, in fact, a great part of the business was conducted more cheaply and expeditiously in London than it could be in the Courts proposed by the Bill. The Bill, he was afraid, would not obviate many of the grievances which were connected with the administration of justice. We had an illustration of its operation in the experiment of appointing District Registrars under the Judicature Act to assist in the administration of justice which had been a failure, and they did not enjoy the confidence of the public. Nor did the Bill make any provision for that which was an abuse both in their case and in that of the Courts which it would establish — namely, that the persons who, as a rule, were appointed Registrars, were solicitors practising in the several localities; and it was unfair to the public that a solicitor in such a position should have the opportunity of examining all the books, memoranda, and private papers of a man against whom he might, in his professional capacity, be conducting a suit. Again, the appointment of Deputies by County Court Judges was, in his opinion, a great abuse, against which, however, the Bill made no provision. For those reasons, and because it was understood that there would be a Committee of Inquiry into the propriety of extending the jurisdiction of County Courts, he could not give the Bill his support.

Mr. HOPWOOD supported the Bill, not only because it proposed to extend the jurisdiction of the County Courts, but also because it would have the effect of elevating the position of the County Court Judges. If they wanted a higher class of men to preside over those Courts, they would have to hold out to the members of the Legal Profession the inducement of a higher remuneration. He contended that the Bill was a simple and practical mode of providing the great commercial centres with that speedy and efficient administration of justice which they required. These centres would not be long satisfied with the holding of Assizes a little more frequently than at present. They were willing to pay for Judges, and their demand could not much longer be resisted. As the Bill supplied an admitted want, and did not disturb existing arrangements, he thought it was deserving of a second reading. The exceptions which had been taken to the Bill were matters of detail, which might very well be dealt with in Committee.

Mr. SAMPSON LLOYD said, he had listened with much pleasure to the able and temperate speech of the hon. Member for Newcastle (Mr. J. Cowen). He desired to add his testimony to the value of the County Court system, and to the great satisfaction generally felt at the manner in which it was administered. It afforded a cheap and accessible mode of settling commercial disputes, and the decisions of the Judges were generally satisfactory. He contended that it only required a man of common sense to decide two-thirds of the cases which came before these Courts. In order to relieve the pressure of business in the High Court of Justice, he would suggest the appointment of a competent officer, who should be empowered to make a preliminary examination of the cases on the list, and to send such of them as were simple questions of fact down to the local County Courts. He thought the time had come for a thorough inquiry into the County Court system, and especially into the power of committing for contempt, which the County Courts exercised more freely than any of the other tribunals of the country—and he was glad that a Select Committee had been appointed to inquire into the subject. There was some force in the argument that the system proposed to be introduced by this Bill might lead to a conflict of jurisdiction. He hoped, if the Government could not refer this Bill to a Select Committee—because they might thereby be considered as accepting the principle—the House would hear from the Attorney General an intimation of the intention of the Government to deal with the question of the County Courts; if not now, at all events, next Session. In regard to the proposals of the present Bill, he thought there was an advantage in concentrating the principal business in London. If a suitor had to go some 50 miles—say from Wales to Bristol—the inconvenience would not be greater if he went to London; whereas, on the other hand, they would have a better Bar, and the probability of better Judges.

Mr. MORGAN LLOYD contended that the Bill was not, properly speaking, a County Court Extension Bill, but rather a measure for establishing certain local Courts in some few places in England. Now, in two of the centres named in the Schedule—Liverpool and Manchester—there were, independent of the Assizes held three times a-year, local Courts, and if there really existed any necessity for such a change as that proposed, why, he would ask, should it not be effected by increasing the powers of those local Courts which were already in existence? If, too, it was desirable to have additional local Courts, why, he should like to know, should large districts like South Wales and Cheshire be omitted from the Schedules of the Bill? The hon. Member, however, confined the measure to the North of England, the very district in which there were more local Courts than elsewhere throughout England. Wherever established, the system of local Courts, except for the determination of small disputes, had not been popular. They had been tried in Cheshire and in Wales, but had long since been abolished. The people had lost confidence in them. They regarded the Courts and the Judges as corrupt. Moreover, the Bill would produce great diversity instead of uniformity; whereas no system of administration of justice could be perfect if it were not uniform throughout the country. The Bill, in fact, proposed to introduce the foreign system into England, whilst the opinion of this country was in favour of a central jurisdiction combined with local jurisdiction, by sending down the Judges of the Superior Courts to try causes in the Provinces. Our present system had worked well for centuries, whilst the system of local jurisdiction had failed wherever it had been introduced. There was no complaint against the circuit system, which was one of the glories of England. Justice was administered under it by Judges who commanded the confidence of the country, and represented, in a manner which local Judges could not do, the majesty of the law. A very serious objection to the measure seemed to him to be that it would tend to destroy the County Courts as Courts for the recovery of small debts, for which purpose they had been found most useful. If, he might add, the jurisdiction of those Courts were extended, the greater would be the power conferred upon the Registrars; and he, for one, looked upon it as most destructive of the confidence of the public in the administration of justice that practising solicitors should sit in them as Judges. As to the question of costs, he believed that in suits of importance justice was obtained as cheaply in the Superior as in the County Courts; and, holding that the Bill was founded on a wrong principle, he should vote against the second reading.

Mr. WHEELHOUSE said, that he most willingly, if he might be allowed to do so, bore his warm testimony to the care and knowledge brought to bear by the hon. Member for Newcastle-upon-Tyne (Mr. J. Cowen) on the measure now before the House. So far as the Bill itself, however, was concerned, he regretted to say that he must oppose it. Those who had spoken previously seemed to have momentarily forgotten that there existed, even now, almost every power which the hon. Member foreshadowed in this Bill. It was perfectly competent for any one of the Judges to order a suit which was entered for trial in any one of the Supreme Courts to be sent to any County Court, of his own selection, to be decided there. Now, if this measure became law, that power might—possibly would—be greatly restricted, if not abolished. Moreover, so far as he (Mr. Wheelhouse) could judge, this Bill gave concurrent jurisdiction to four or five different tribunals; surely, a course which ought to be avoided, rather than encouraged. It must be borne in mind that "cheap" law was not always so, inasmuch as it very often led to the multiplication of appeals, and thus to the cost of the inquiry, and the possible ruin of the suitor. It was, also, quite worth while to remember that there was an old jurisdiction to which Writs of Trial were formerly sent, and where the causes so sent down were most carefully dealt with. If it were thought desirable—and on this he gave no further personal opinion—to rehabilitate or extend the minor jurisdictions of this country, by all means, let them replace in the hands of the County Sheriffs the jurisdiction as to Writs of Trial which they formerly exercised. Everyone who remembered what the Sheriffs of Yorkshire, Lancashire, and London did, by the hands of their Assessors, in the hearing of Writs of Trial, would be satisfied that the work was done extremely well. Indeed, London and the Passage Court in Lancashire were still evidence of this; and while, possibly, he (Mr. Wheelhouse) did not believe in increasing the minor jurisdictions of the country much, yet, if it must be done, the best method of dealing with it was to place in the hands of the Sheriffs the old jurisdiction of the Sheriff's Court, where the whole of the proceedings were precisely similar to those which took place at Westminster Hall; where they would hear the pleadings, the statements of claim, and defence, before a jury of 12 men. He always considered the County Court jurisdiction had gone quite far enough. Again, they had no right, in the first place, to interfere with the several parts of the country in different ways, and it was utterly useless to say it was not equally disirable that other places should not, with Leeds and Manchester, have similar jurisdiction. If they were to let this Bill pass the second reading, they would be acknowledging a principle; but, apart from that, he was one of those who considered that it was not desirable to have local jurisdiction if we did not want to run the risk of Judges "hob-nobbing" with the persons interested in suits, though he did not think it likely that an English Judge would be guilty of such indiscretion; but he did not want him to have the opportunity of doing it, and the further he was removed from all local ideas, wants, and requirements, so much the better it would be for everybody. He (Mr. Wheelhouse) did not care what was the matter before a strictly localized Judge. They might depend upon it that the side which lost was almost certain in its heart to feel that the local jurisdiction had been biased in some way or another. He knew that in 99 cases out of the 100 there was no reason for it; but if anyone took the trouble to inquire into the magisterial duties, they would find that the general feeling was that the law ought to be administered by persons who had no local interest, or comparatively none, and who went to the district merely as lawyers to administer the law, having no interest in the suits, and utterly careless as to who were the litigants and what were the interests brought to bear. He knew there was practically very little in support of the view that was commonly held by some of the populace; still, this was the state of the case, and, therefore, the less they had of what was called local administration, so much the better for everybody. The Bill provided that the Judges should reside somewhere within the district, and his objection was to the Judges or the Assistant Judges residing within the district at all; because he knew perfectly well that there were people who were always anxious to throw some blame, deserved or undeserved, on the Judges, inasmuch as they thought, rightly or wrongly, that justice was not done with regard to their particular interests. Besides, though he said it with regret, there was no mistake about this—and he wished it thoroughly understood—that, in certain Courts of this country, there were certain influences brought to bear. There were certain persons who practised at Courts, and they were instructed to go before the Judge, who might be their father, uncle, or cousin; and the losing side, under such circumstances, always said that the feeling between—it might be the father, or the son, or the uncle, or the nephew—precluded justice from being done. He knew perfectly well that the allegation was made pretty nearly all over certain districts, and whether it was true or not, it had, to say the least, a deleterious effect on the district. Under such circumstances, he hoped they would hear no more of the localizing of Judges; and especially did he hope and trust that this Bill would be rejected, because if the County Court system was to be altered at all, it should be altered on the responsibility of the Government. If altered, they should not let the alteration remain in the direction of localizing the Judges, but should leave them pretty much as they were, and give to those in London the jurisdiction which the Bill sought.

MR. SERJEANT SIMON remarked, that however backward lawyers might have been in former times on the subject of law reform, there was not a single step in the progress of law reform properly so called in recent times in which lawyers had not taken a leading and prominent part. He was sure his hon. Friend the Member for Newcastle would not have proposed a measure of this kind unless he had well considered it; but the Bill was open to most serious objections, because it did not propose to meet a great national difficulty. It was not a Bill for re-establishing and reconstructing our judicial system, but it proposed to establish a sort of intermediate jurisdiction between the High Court of Judicature and the Inferior County Court. It also sought to localize the administration of justice, a system which had been rejected by the Judicature Commission. He admitted that there had been great inconvenience under the system in existence before the passing of the Judicature Act, but thought the new one ought to have a fair trial; and therefore recommended the postponement of the measure under discussion. The country did not ask for local jurisdiction; as a proof of which, he might mention that out of 500 causes entered in the Court of Chancery for hearing these sittings, only three had been commenced in the local Registrar's District. He did not deny that the system of localizing the administration of justice was, in some respects, advantageous; but he thought that, at the present time, the County Court jurisdiction was sufficient. He saw no necessity for adding to the present expenses of the administration of justice some £113,000, which would be the effect of the measure now under consideration if it passed into law. But there was another important question for the consideration of the House, and that was, whether it was desirable to lower the high standing and position of the Judges and of the Bar from which they were taken? He had himself had experience of local

Courts, and was able to say that there was a deteriorating effect on the character and tone of a Judge who was always sitting in one place and trying the same classes of causes or prisoners. Even in the localities such Judges came, in time, to be regarded as the friends of certain people living in the district, and they were supposed to have favourites practising before them and exercising sinister influences over their minds. Again, there was a system of routine to which the practitioners at a local Bar became accustomed, and they were not the men who made the best Judges, or who most commanded public respect. He thought that all measures like the present ought to be closely watched, and that hon. Members ought to take a broad view of the question, instead of studying only local convenience and economy. A Bill of this kind ought not to be received, coming as it did from the hands of a private Member. It involved a great Constitutional question, and would affect the character of the Bench, the status of the Bar, and the future of the administration of justice in this country.

Sir EARDLEY WILMOT said, he had listened with the respect and attention to which every remark was entitled to coming from his hon. and learned Friend the Member for Dewsbury (Mr. Serjeant Simon); but he could not help saying that the hon. and learned Serjeant's observations on the principle of local jurisdiction, and his objections to it, however forcible, should have been made 30 years ago, when the first establishment of County Courts was considered, and the principle of adopting them was fully discussed and conceded. Since that time, the principle had been further and more fully recognized by the extensive jurisdiction added to the County Courts at various times; and, at the present time, they had the general public approval. The same observations would apply to the objections raised by his hon. and learned Friend the Member for Beaumaris (Mr. Morgan Lloyd); and, while listening to the argument brought forward by the hon. and learned Serjeant on the subject of a Judge being deteriorated by the sameness and uniformity of his duties, he could not help feeling that, if that argument had weight, Sir James Hannen, who now discharged a monotonous duty, however important, from one end of the year to the other, would not now be held in the same honour and esteem in which they all knew he was universally held. The same might be said of his predecessor, the late Sir Cresswell Cresswell. Coming, however, to the Bill of the hon. Member for Newcastle (Mr. J. Cowen), he was sorry he could not give it his support, and for the following reasons. There had been already three Bills on the subject of the County Courts during the present Session—one of which had been introduced by himself — proposing to extend to a certain limit the Common Law jurisdiction of these Courts. One of them (Mr. Norwood's) proposed, also, considerably to extend the present equity jurisdiction. These Bills had been, with the consent of the Government, and by the kind assistance of his hon. and learned Friend the Attorney General, read a second time, and referred to a Select Committee, already appointed, and whose labours would begin in a day or two. The questions to be submitted to that Committee were already as much as they could successfully deal with; especially if, as he fully hoped, a Bill might be introduced, embodying its recommendations, in the event of their being favourable to an extension of the jurisdiction, in the course of the present Session. But the Bill now before the House proposed to disorganize and reconstruct the whole system of the County Courts. Even if extension were one of the elements contained in the Bill, with such heavy additional work cast upon the Committee, a successful issue of its labours would be impossible. He had not been present at the early part of the debate that day, having been unavoidably detained elsewhere; and therefore he had not had the good fortune to hear the arguments of the hon. Mover of the Bill, which he doubted not were very able, as also would have been the arguments of the hon. and learned Member for Denbighshire (Mr. Osborne Morgan) and of the hon. Member for East Sussex (Mr. Gregory) who had opposed it. But one of his own objections to the present Bill was that it was extremely partial in its operation. It raised the Courts in the North of England to a high eminence, and left out altogether such Courts as Cardiff, and that district in South Wales so ably presided over by Mr. Falconer, one of the most distinguished and successful of the Judges of County Courts. Nor was this all. The Bill did not touch the Metropolitan Courts, which, in the quality and character of the litigated business they transacted, at all events, held a place second to none in the Kingdom. And yet, by the Bill now before the House, the Judges of the Northern Districts were honoured by a very considerable increase of salary, and became qualified for promotion to seats on the Bench in the High Court of Justice, while their Metropolitan brethren were altogether omitted. He had always advocated the principle of promotion in the case of the Judges of the County Courts. The hope and prospect of occasional advancement would be a stimulus to the more careful and efficient discharge of judicial duty; while it would enhance the appointments of County Court Judgeships in value, and render them prizes to the Legal Profession, more eagerly sought after, and by more able lawyers. But, at all events, this avenue to promotion should be equally open to all the Judges, and not made to fall to the lot of some specially favoured ones; and, while referring to the Judges, he could not help regretting the speech made by the hon. and learned Member for Leeds (Mr. Wheelhouse), who had on more than one occasion animadverted severely and somewhat bitterly on the conduct and partiality of certain of the Judges of County Courts. He (Sir Eardley Wilmot) doubted not that those gentlemen were well able to defend themselves against such attacks, but he could not help saying that he considered them unjust and undeserved. In conclusion, he hoped that the Government would not send this Bill to the Select Committee. He was sorry not to be able to support it, knowing the interest which had been warmly and ably taken in it by his hon. Friend the Member for Newcastle; and he acknowledged that there were points of great value in the Bill, and matters contained in it which were entitled to attentive consideration. Some of these might be submitted to the Select Committee, even although the Bill itself should not pass a second reading.

MR. WHITWELL hoped, that in spite of some of the speeches which had been delivered to-day, Her Majesty's Government would perceive that the House approved the local administration of justice, and was prepared to extend the area of such administration whenever opportunity offered. If the present measure went in that direction, he should give it his support; but, in his opinion, its provisions, instead of extending that area, considerably limited it by restricting some districts in a circuit to Assistant Judges, with a right of appeal to a Central Judge, and so incurring litigation, as each litigant would desire to take the chance of a higher class of Judge; and if such Judges existed at all, the Act ought, in the first instance, to give the litigants the option of having their cases tried by Judges of a rank superior to that of the County Court Judges. He objected to the operation of the Bill being confined to certain districts, and felt it his duty to oppose the second reading.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, the very few hon. Members who took sufficient interest in this important Bill to induce them to come down to the House and listen to the speech of the hon. Member for Newcastle must feel indebted to that hon. Gentleman for the able and instructive speech which he delivered. For his own part, he had so much admiration for the hon. Member's advocacy, that he should have been glad to render him some assistance if he could have brought himself to approve this measure. But, after a careful consideration of its provisions, he could not do so; and he must, therefore, offer his opposition to the Bill. He based his opposition on reasons which he would briefly explain. Under the Judicature Acts, passed in 1873 and 1875, after the subject had been carefully investigated by a Commission, a very great alteration in our system of judicature was established; and, doubtless, the Legislature intended that the new system should be a permanent one, or, at any rate, that it should not be disturbed in its main features for a considerable time to come. Therefore, it would be a very strong measure to alter and uproot the system then established, unless there existed an overwhelming reason for so doing. The new system did not at first work satisfactorily, and there were complaints of arrears, and a great block of business in consequence of those arrears. Where the block pressed most severely—namely, in the Court of Chancery—a new Judge was appointed, and the consequence was that in Chancery Courts a block existed no longer; or, at all events, not to the same extent as before. In the other branches of the High Court of Justice there were still, no doubt, arrears and accumulations, but they were disappearing; and, he durst say, that before a long period elapsed, it would be found that the block of business had been cleared away, and that the Courts were enabled to grapple with the cases that were brought before them with the greatest possible facility. No doubt, in consequence of the accumulations which arose in our Courts shortly after the Judicature Act came into operation, there was a good deal of complaint, and many suggestions were made with the object of remedying the defects which were felt. Some suggested that the difficulty would be met by increasing the number of Judges; and, if the difficulty could not otherwise be overcome, perhaps that would be the proper mode of dealing with it. Others came to the conclusion that considerable relief might be afforded by increasing the jurisdiction of the County Courts, and that it would be an advantage to the community generally that the jurisdiction of the existing County Courts should be considerably increased. He, for one, was glad to bear testimony to the great usefulness of the County Courts; and many hon. Members being of opinion that advantage would arise from increasing the jurisdiction of the County Courts, three Bills had been introduced this Session to accomplish that object. Now, those Bills did not, at all events in the opinion of the Government, interfere materially with the system of judicature established by the Judicature Act, and they did not at all interfere with the principle of the County Courts themselves. Speaking for himself, and without having the advantage of knowing the results of the investigation that was about to be made with reference to these Bills, he was certainly of opinion that it would be an advantage to increase the jurisdiction of the County Courts. His own opinion was, that concurrent jurisdiction should be given, and that people should not be driven to the County Courts, but should be allowed to go to them if they desired to do so. The Government, considering the nature of those Bills, thought it right that they should receive a second reading, and should then be referred to a Select Committee. That was accordingly done, and he was informed that the Select Committee would very shortly embark on its labours. But those Bills were of a very different character from the Bill of the hon. Member for Newcastle. His Bill was a measure of a very ambitious and very comprehensive character. It would, in his (the Attorney General's) opinion, altogether upset the system of judicature which was established in 1873 and 1875. It was very important that, when a great measure of legal reform had been introduced, it should, at all events, be allowed time to have full operation, to see whether it would work well or not. He did not think that any commercial gentleman, who had frequently to embark in litigation, was of opinion that the Courts of Assize were not excellent Courts for the disposal of business brought before them. It might be contended that they did not sit with sufficient frequency, but that could be remedied without destroying the whole system. What would be the effect of the Bill of the hon. Gentleman on that system? It was proposed by his Bill to erect in seven or nine great centres of population County Courts of a superior character, Courts which were not County Courts really, but were intermediaries between County Courts and the High Court. It was also proposed to give to Her Majesty power, by an Order in Privy Council, to erect these superior County Courts in any other place that Her Majesty might think proper. To these County Courts there was given unlimited jurisdiction. The Bill proposed to give them unlimited jurisdiction to try any case that a Superior Court might try; but if the matter in dispute exceeded £500, or the value of the estate to be administered exceeded £5,000, the defendant had the option of ousting the jurisdiction of the Court by objecting to the exercise of it. The Judges of these Courts were to receive £3,000 a-year, and they were to have a very large and expensive staff. What would be the effect of this? If these Courts gave satisfaction to the dwellers in the towns where they were established, the business of the High Court would so far be extinguished, and there would be no further business for the Judges of the High Court, except that of sitting in London and hearing appeals. Surely that was not the intention of the Legislature when the Judicature Act was passed? Was it desirable that the legal business of the country should be transacted by Judges who would be regarded by the country, at all events, as inferior Judges? Suppose these tribunals which his hon. Friend proposed were not successful, they would, for the sake of experiment, have established throughout the country at very considerable expense a system of law, and saddled the country with a number of Judges, with salaries of £3,000 a-year and an expensive staff, who would practically have nothing to do. This would be most disastrous. Suppose these Courts attracted considerable business, but that considerable business was still left to the old Courts—we should have two Courts possessed of concurrent jurisdiction, which would be altogether out of harmony with each other, and would be guided by different rules. There would be not only two, but three sets, of Courts; because we had the present County Courts, having concurrent jurisdiction, but regulated by a different principle. In some places—such as Liverpool—where there was a Court of Passage, there would be four jurisdictions. It seemed to him that such a system would lead to the greatest possible embarrassment and confusion, and be productive of no particular benefit. For these reasons, he could not assent to the second reading of the Bill. Nor did he think it was desirable that it should be referred to the Select Committee; because, if the Government assented to that course, it would be assumed that they approved the principle of the Bill. He was bound to say, however, that apart from the main provision of the Bill, there were many provisions in it which were well worthy of attention. It was a great evil that the Registrars should earn the enormous amount they did, and that they should be permitted to practise. If they could be paid by salaries, and not permitted to practise, it would be a great improvement. He would suggest that the hon. Member for Newcastle should wait until the Committee to which the three Bills had been referred had concluded their labours and reported to the House, and not now press his Motion to a division; and then, next Session, if he should still be of opinion that the system he wished to inaugurate was better than that inaugurated by the Judicature Acts, he would have another opportunity of bringing his Bill forward.

MR. J. COWEN, in reply, said, he regretted the Government had not been able to see their way to send this measure before the Select Committee that was sitting on the other Bills; but he could appreciate the recommendation of the hon. and learned Attorney General. It was manifest that no legislation could take place on the Bill this year. The Session was too far advanced for that. The Committee that was sitting would have an opportunity of considering the whole question; and when their Report was submitted, and the Bill on that Report was brought before the House, he would have, as the hon. and learned Attorney General had said, an opportunity of proposing Amendments or suggesting changes, which, although they would not realize the principle of the Bill, would tend somewhat in the direction the Bill before them pointed. He begged to express his acknowledgments to the hon. and learned Gentleman for the favourable manner in which he had spoken of the measure; and, under the circumstances, he thought he would best consult the convenience of the House, and also the interests of the Bill itself, by acceding to the advice of the hon. and learned Gentleman, and withdraw the Bill for the present. At a future period, if they did not succeed in getting such improvements made in the Bill that would come back from the Select Committee, he would avail himself of the Attorney General's suggestion, and re-introduce his measure next year. The discussion had been useful and instructive; and the subject having been brought fully before Parliament, and the attention of hon. Members directed to it, perhaps that was as much as could be expected just now. He hoped, with their debate and the future discussion they would have on the subject, a substantial improvement would be made in the County Court system.

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

TENANT-RIGHT (IRELAND) BILL.

(*Lord Arthur Hill-Trevor, The Marquess of Hamilton, Mr. Mulholland, Captain Corry, Mr. Chaine.*)

[BILL 31.] SECOND READING.

Order for Second Reading read.

LORD ARTHUR HILL-TREVOR, in moving that the Bill be now read a second time, said, it proposed simply to give to tenants in Ulster the benefit of the custom of Ulster with regard to leases. At that late hour of the day (5.10) he would not enter into the details of the measure, the object being simply to rectify the Land Act of 1870; which did not, it was believed by many eminent lawyers and Judges, place the tenants of Ireland in so good a position as they were before the passing of that Act. His Bill would place the leaseholder in the same position as the yearly tenant with regard to tenant-right custom, compensation for improvements, and so on. In the framing of the Land Act of 1870, no specific mention had been made of the leaseholder, and it was with a view to remedy this omission, which had been generally complained of, that he had introduced the present Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Arthur Hill-Trevor.*)

MR. RICHARD SMYTH: Sir, it is not my intention to offer any opposition to the second reading of this Bill; but I must say it is open to some criticism. I am glad that the noble Lord the Member for Down (Lord Arthur Hill-Trevor) has omitted the Proviso which the hon. Member for Downpatrick (Mr. Mulholland) appended to his Bill in 1876; and which, I believe, that hon. Member himself was not unwilling to abandon in Committee, if the measure had reached that stage. But I do not know why the noble Lord has rejected two provisions which were contained in the Bill I had the honour to introduce last Session, provisions which even the hon. and learned Gentleman the Member for the University of Dublin (Mr. D. Plunket) gave his adhesion to, and which, as I understand, were not opposed by Her Majesty's Government; and these I shall refer ot in a moment or two. As regards the leading principle of the Bill, there is no substantial difference of opinion in Ireland. It is notorious that at the end of a lease, alike on the great and small estates, a farm was never put up for competition, as is the case in Scotland. A lease in Ulster never meant any more than that, for a certain defined period, there should be no change in the rent; but it was not understood to imply that the clause of surrender was to take effect in a change of tenant. No man in Ireland is better enabled to speak with authority on the subject than the noble Lord. It must appear to English and Scotch Members somewhat surprising that the noble Lord should introduce a Bill to set aside the covenants of a lease, as it purports to do; but, with the permission of the House, I shall read what was said on the subject by an eminent Irish Judge, when examined before Lord Lifford's Committee in 1872. [The hon. Member then read at length Chief Justice Monahan's evidence on leasehold tenant-right, connected with the case of Austin and Scott, in the county of Londonderry.] The evidence went to show that the custom as regards tenant-right stood on exactly the same footing in the case of a lease as in that of a tenancy from year to year. The custom is, in fact, beyond all question; but we believe there are customs analogous to that which prevails in Ulster in some other parts of Ireland, and it is well known that the 2nd clause in the Land Act of 1870 makes provision for giving legal effect to customs, no matter where found in Ireland. I do not know why the noble Lord has given the go-by to the rest of Ireland, whilst proposing a good thing for the Province of Ulster. I can hardly think he would do this for the mere purpose of buying off the opposition of the hon. Member for Carlow (Mr. Bruen) who last year succeeded in throwing out the Bill which I was responsible for. Ulster did not do so much for the Land Act of 1870 that it ought to be treated now with exceptional favour, especially as the doing of justice to the other three Provinces can in no way compromise the well-being of the Ulster farmers. It may be said that there are no analogous customs in the other three Provinces. Well, if that be so, no harm can be done, for the Bill does not create, but only legalizes, an existing custom; and if the usage does not exist, the Bill would leave matters where they are. I do not at all like this exceptional legislation, and I shall certainly move in Committee the insertion of words that will meet the case of leasehold customs in all parts of Ireland. Then, again, the noble Lord provides that an express covenant or agreement shall be held to nullify the tenant-right at the end of a lease. There is a good deal of danger in this provision, unless the covenant bear upon the face of it that the surrender of the tenant's claim for compensation has been made for an equivalent, or for a valuable consideration. Very few landlords, I should hope, would bring pressure to bear upon their tenantry to induce them to sign agreements to their own damage; but such things have been done, and they might be done again. If we had only to deal with such landlords as the noble Lord himself, we need not trouble ourselves about Acts of Parliament; but we must take care that sharks be kept away from the nets. Therefore, when the Bill is in Committee, I shall move an Amendment to the effect that no covenant for the surrender of a tenant's claim shall be valid unless it is made on the footing of valuable consideration. With these reservations, I cordially support the second reading of the Bill.

THE MARQUESS OF HAMILTON said, he was glad to hear the hon. Member opposite (Mr. R. Smyth) say that he did not intend to oppose the Bill, and he hoped that before the end of the Session the measure would be passed into law, as the Bill would, he held, confer a great benefit on a large portion of the tenants of Ulster. The object of the measure was simply to place in a clear manner the position which the leaseholders in Ireland held under the Land Act of 1870. When the Land Act of 1870 was passed, it was never intended that the landholders of the Province of Ulster should be placed in a worse position than the yearly tenants of Ulster were placed in ever since the passing of the Land Act of 1870. As to the position in which these leaseholders stood, some of the most eminent Irish lawyers and Judges asserted that the leaseholders were not included in the operation of the Act, and he believed he was correct in saying that amongst them was Mr. Baron Fitzgerald, who maintained that the right to surrender had done away with the tenant-right. For a long time past it had been the custom in Ulster that tenants, at the expiration of their leases, should retain their farms at a yearly rent. But, in some parts of Ireland, since the passing of the Land Act of 1870, some of the landlords had taken advantage of the law, and had asserted that the right of surrender did away with the tenant-right. This Bill had been brought in, in order to do away with that anomaly, and to lay the onus of proof in such cases upon the landlord instead of the tenant. There was also another point which he considered to be very valuable, which would be gained if this measure was passed into law—namely, that it would give an incentive to tenants to take leases. He was extremely glad to find that there appeared to be no opposition to the principle of the Bill, and hoped that before the end of the Session it would be passed into Committee.

MR. O'NEILL said, he was glad to think that the second reading of this Bill would not be opposed. It was a most important Bill as regarded the Province of Ulster, for the number of holdings under lease there had been stated, without contradiction, to be 32,000. It was also most important, because doubts had arisen, and conflicting decisions had been given, respecting leasehold tenant-right under the Act of 1870; and the object of this Bill was only to make that Act clear and plain with respect to this point. That Act legalized usages which had existed previously to its passing, and leasehold tenant-right might be almost said to be one of those usages; but, by that Act of 1870, the onus of proving the existence of tenant-right on the termination of a lease was thrown on the tenant, and this was almost impossible to prove, because there were so few instances of the sale of tenant-right immediately on the expiration of a lease. Tenants in Ulster, holding under lease, scarcely ever quitted their holdings at the end of their leases. They remained in their holdings at an increased rent as yearly tenants, and thereby came in for all the benefits accruing to yearly tenants under the Land Act, including the right to sell their tenant-right. This, it would be seen, was conceding the point, and the reason—speaking generally—why it was conceded was that yearly tenants were—

and that more especially since the passing of the Land Act—as secure in their holdings as were tenants holding under lease. Chief Justice Monahan, in his evidence, which had just been read by the hon. Member for the County of Derry, said he could not see the least difference between the two cases. It was true that Chief Justice Whiteside took a different view of the law on this point. Hence the doubt, which it was the object of this Bill to clear up. In conclusion, he supported this Bill, because he believed it would be a declaratory Bill rather than one introducing any novelty. Its object was to clear away an obstruction which had arisen in the working of the Land Act. The principle which it contained had been generally acknowledged and acted upon in Ulster, and he believed that its passing would tend to increase the harmony and good feeling which generally existed between landlord and tenant in that Province.

Mr. J. LOWTHER considered that the Bill was one which the House would do well to read a second time. As had been very properly observed by the hon. Gentleman the Member for Derry (Mr. R. Smyth), this Bill was not an attempt to renew agrarian agitation, or to what was called amend the Land Act of 1870. As he understood the measure, it was merely an attempt to remove the doubts which had arisen in the minds of many persons—some of them most eminent Irish lawyers and Judges—with regard to the interpretation of certain portions of the Land Act of 1870. He also gave his most cordial approval of the clause in the measure which gave power to make contracts outside the custom of the Province of Ulster.

Mr. MACARTNEY ventured to express a hope that the Bill would be read a second time, although he felt bound to confess that it did not go so far as he should wish it to go. However, he supposed it would be competent for those who wished to make further provision for the benefit of the Ulster tenants to propose new clauses in Committee; and, therefore, he would not do more on the present occasion than express his sincere hope that the Bill would be passed into law during the present Session.

Mr. FAY said, he was extremely glad that the right hon. Gentleman the Chief Secretary for Ireland had expressed himself satisfied with the Bill, and was also pleased to find that the Conservative Party of Ireland were willing to adopt it. He thought the fact of the Conservative Party of Ireland being in its favour was a great success for the tenant-farmers, and showed a great advance of Liberal opinion on the opposite side of the House. It was an incidence of the growth of popular power in Ulster. The Ulster Conservative Members were in the habit of dragging their constituencies after them. They were beginning to find that they should now obey their constituencies or lose their seats. He regarded the support this Bill had received from the Ulster Conservatives as a proof of the growing strength of Ulster Liberalism.

Mr. BIGGAR was sorry that the right hon. Gentleman the Chief Secretary for Ireland had expressed an opinion in favour of what he considered to be the truly mischievous clause in the Bill. He had not the slightest doubt that the last part of the Bill struck out the principle which was adopted in England. According to the principle of the Land Act of 1870, a tenant could not contract himself out of the tenant-right custom. The Bill, unfortunately, introduced the principle that a tenant might contract himself out of that custom, and that he considered to be a most mischievous provision. The present measure was introduced under most favourable auspices. As the hon. Member for Londonderry (Mr. R. Smyth) had stated, the noble Lord who introduced the Bill was one of a family with whom there was no fault to find as landlords. But, unfortunately, there were many exceptions to the noble Lord's family in Ireland, and he was sorry to see such a clause in the Bill.

Mr. GRAY said, he did not desire to interfere with the progress of the Bill at its present stage; but, after the declaration which had been made by the right hon. Gentleman the Chief Secretary for Ireland, he desired to guard himself by saying that he certainly should oppose the Bill to the utmost extent unless some modifications were made in it when they got into Committee. The Bill, as it stood, gave to the landlord power to insert a provision in a lease which at its expiration abolished the Ulster custom. No such power, as far as he was aware, existed at present. He regarded this provision as insidious and dangerous, and, therefore, unless it was modified, he certainly would oppose the Bill hereafter.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Friday*, 24th May.

ABSENTEE PROPRIETORS (IRELAND) BILL—[Bill 115.]

(*Mr. Parnell, Mr. O'Shaughnessy, Mr. P. Martin.*)

SECOND READING.

Order for Second Reading read.

Mr. CHARLES LEWIS, in moving that the said Order be discharged, said, the Bill had been put down on the Paper on several occasions, but had not yet been printed. The provisions of the measure, however, he supposed from the title, were of a very peculiar character, and he therefore begged to move its rejection.

Motion made, and Question proposed, "That the said Order be discharged."—(*Mr. Charles Lewis.*)

Sir JOSEPH M'KENNA objected to the Order for the second reading of the Bill being discharged, simply because the hon. Member having charge of the measure happened to be absent from the House. He was surprised that the hon. Member for Londonderry (Mr. Charles Lewis) should make such a Motion at that hour of the day (5.40), because it was generally expected that opposed Business would not be proceeded with at so late an hour of the day. He had had some experience of the House; but he only remembered such a Motion as this being made once before, when the Speaker himself stood up in defence of the absent Member, and said that such a course ought not to be taken in the absence of the hon. Member who had charge of the Bill. What the merits of the Bill were he did not know, and, therefore, would express no opinion; but he must deprecate the taking of such an extreme step as that proposed by the hon. Gentleman the Member for Londonderry.

Mr. BIGGAR hoped they would not agree with the Motion which the hon. Member had just made. The hon. Member was proceeding to comment upon the provisions of the Bill and absenteeism in Ireland, when——

Lord ARTHUR HILL-TREVOR rose to Order. He wished to ask whether the hon. Member for Cavan was in Order in departing from the Motion which was before the House?

Mr. SPEAKER said, the hon. Gentleman was not out of Order in the observations which he made upon the Bill. The question before the House was that the Order for the second reading of the Bill should be read and discharged, and the hon. Gentleman had a right to discuss the subject-matter of the Bill.

Mr. BIGGAR resuming, said, the question of the absentee landlords in Ireland was a question which admitted of considerable discussion.

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

TRAMWAYS ORDERS CONFIRMATION (GLASGOW, &c.) BILL.

On Motion of Viscount Sandon, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Glasgow and Ibrox Tramways and Wrexham District Tramways, *ordered* to be brought in by Viscount Sandon and Sir Henry Selwin-Ibbetson.

HIGHWAYS (SOUTH WALES) BILL.

On Motion of Mr. Hussey Vivian, Bill to amend the Law relating to Highways in South Wales, *ordered* to be brought in by Mr. Hussey Vivian, Mr. Christopher Talbot, Mr. Dillwyn, and Viscount Emlyn.

Bill *presented*, and read the first time. [Bill 160.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (BOURNEMOUTH, &c.) BILL.

On Motion of Mr. Salt, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Improvement Act district of Bournemouth, the Local Government district of Brotton, the boroughs of Haverfordwest (two) and Liverpool, the Improvement Act district of Llandudno, the Local Government district of Lofthouse, the Lower Thames Valley Main Sewerage district, the Improvement Act district of Middleton and Tonge, the Local Government districts of Pemberton, Romford, and Tyldesley with Shakerley (two), the borough of Wakefield, the Improvement Act district of West Hartlepool, the borough of Wigan, and the Local Government districts of Wilmslow and Workington, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented,* and read the first time. [Bill 168.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (DAWLISH, &c.) BILL.

On Motion of Mr. Salt, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government districts of Dawlish and Hucknall Torkard, the Rural Sanitary district of the Shardlow Union, and the borough of Wigan, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented,* and read the first time. [Bill 167.]

PUBLIC PETITIONS.

House moved, That so much of the Order appointing the Select Committee on Public Petitions as directs that the Reports of the Committee do in all cases set forth the number of signatures to each Petition might be read; and the same being read,

Ordered, That, in accordance with the recommendation of the Special Report of the Committee on Public Petitions (11th of April), so much of the Order appointing the Select Committee on Public Petitions as directs that the Reports of the Committee do in all cases set forth the number of signatures to each Petition be discharged.

Ordered, That it be an Instruction to the Committee that the Reports of the Committee do set forth the number of signatures to each Petition only in respect to those signatures to which addresses are affixed. — (*Sir Charles Forster.*)

House adjourned at five minutes before Six o'clock.

HOUSE OF COMMONS,

Thursday, 9*th May,* 1878.

MINUTES.]—New Writ Issued—*For* Reading, *v.* Sir Francis Henry Goldsmid, baronet, deceased.

New Members Sworn—Albert Henry George Grey, esquire, and Edward Ridley, esquire, *for* the Southern Division of the County of Northumberland.

Select Committee—East India (Public Works), Mr. Edward Stanhope, Mr. Pease *added.*

Supply — *considered in Committee* — Civil Service Estimates, Class II.

Resolutions [May 6] *reported.*

Public Bill—*Ordered—First Reading*—Admiralty and War Office (Retirement of Officers)* [169]; Parliamentary and Municipal Elections (Ballot Papers) [172]; General Police and Improvement Provisional Order (Paisley)* [170]; Public Health (Scotland) Provisional Order (Lochgelly) * [171]; Acknowledgment of Deeds by Married Women (Ireland)* [173]; Local Government Provisional Order (Darenth Valley) * [175].

First Reading—Tramways Orders Confirmation (No. 3) * [174].

Committee—Report—Public Health Act (1875) Amendment (*re-comm.*) [144].

Third Reading — Customs and Inland Revenue [146], *debate adjourned;* Local Government Provisional Orders (Abingdon, &c.) * [142], and *passed.*

NOTICES OF MOTIONS.

THE EASTERN QUESTION.

Mr. CHAMBERLAIN stated, that in consequence of the absence of the Chancellor of the Exchequer, and in deference to a request received from the right hon. Gentleman, he would postpone his Question as to the Government giving him a day for his Motion on the Eastern Question until Monday.

Sir H. DRUMMOND WOLFF gave Notice, that whenever the hon. Member for Birmingham brought forward the Resolution of which he had given Notice, he would move the following Amendment:—

> "That this House, being earnestly desirous of promoting a peaceful solution of the difficulties now pending with the Government of Russia, is of opinion that the course pursued by Her Majesty's Government is calculated to secure the meeting of a Congress on terms at once consistent with the rights and dignity of the Powers parties to the Treaties of 1856 and 1871, and the due observance of European Law."

Mr. FORSYTH gave Notice that he would move, as an Amendment to the Resolution of the hon. Member for Birmingham, the omission of the words—

> "Condemns the policy of warlike demonstration which Her Majesty's Government has pursued, and."

Mr. FAWCETT gave Notice, that on the Motion for going into Committee of Supply on the Supplementary Estimates for the movements of troops, he would move the following Resolution:—

> "That this House disapproves the action of the Government in summoning Indian troops to Malta without having first communicated their intention to Parliament."

QUESTIONS.

HERTFORD COLLEGE—UNIVERSITY TESTS ACT, 1871.—QUESTION.

Mr. WATKIN WILLIAMS asked Mr. Attorney General, Whether, having regard to the decision of the Court of Appeal in the case of Hertford College, the Government are willing to bring in or support a Bill to amend "The University Tests Act, 1871," by extending its provisions to endowed offices founded since the passing of the Act, and also to future endowments?

The ATTORNEY GENERAL (Sir John Holker), in reply, said, that it was not the intention of the Government either to introduce or support any such Bill as that referred to. He might add, that a Bill containing provisions similar to those which were to be found in the University Tests Act, 1871, had been introduced into Parliament in 1870, and when that Bill was before Parliament, on two occasions there were Motions to the effect that the provisions of the Bill should be made to extend to future endowments. One of these proposals was negatived without a division, and the other was negatived on a division by a large majority. Upon the discussion of the Motion thus negatived, the right hon. Gentleman now the Member for Greenwich (Mr. Gladstone) said—

> "We cannot consent to interfere with the future freedom of persons who may wish to found institutions of this kind;"

And, further—

> "Our desire is to encourage the foundation of Colleges, and we will not inquire whether they are to be denominational Colleges or not; we claim nothing for them less than absolute freedom."—[3 *Hansard*, ccii. 1395.]

INTERMEDIATE EDUCATION (IRELAND).—QUESTION.

Mr. O'SHAUGHNESSY asked the Chief Secretary for Ireland, If he is aware that a resolution was, during the late Recess, adopted at a meeting in Dublin requesting the Government to lay before the House the measure on Irish Intermediate Education promised in Her Most Gracious Majesty's Speech at the beginning of the Session; if he still adheres to his expressed intention of making the introduction of that measure dependent on the progress of the Irish Grand Jury Amendment Bill; and, if not, on what day he proposes to introduce the Bill; and, whether he will consider the advisability of explaining its main features on the Order of Leave?

Mr. J. LOWTHER: I have received no official communication upon the subject; but my attention has been called, through the ordinary channels of information, to the fact that a meeting was held and a resolution adopted in the sense indicated by the hon. and learned Gentleman. As to whether I still entertain the opinion I expressed upon former occasions—and which I need not repeat now in detail—to the effect that it would be desirable to make some progress with the Grand Jury Bill before entering upon the Intermediate Education Bill, I must say that I still hold the same view; but this and the position of the question generally must, of course, depend upon the state of Public Business generally, which is not at the present moment in such a state as would admit of my entering into any specific engagement as to a day for the introduction of the Bill. With reference to the last part of the hon. and learned Gentleman's Question, as to the advisability of explaining the main features upon the Motion for Leave, I think that it would be advisable, and I shall hope to be able to follow that course.

ARMY—THE NEW LINE EX-INDIAN REGIMENTS—REPORT OF THE COMMITTEE.—QUESTION.

Colonel NORTH asked the Secretary of State for War, Whether the Committee that was appointed some months ago to consider the question of Promotion and Retirement in the 12 new Line or ex-Indian Regiments have sent in their Report; and, if not, when they are expected to do so?

Colonel STANLEY, in reply, said, the Report would be presented in a few days; but after its receipt at the War Office, a good deal of correspondence would necessarily take place, and he could not say when any decision could be arrived at.

SOUTH AFRICA—EXPENSES OF THE BRITISH TROOPS IN THE CAPE COLONY.—QUESTION.

Sir GEORGE CAMPBELL asked the Secretary of State for War, Whether only the expenses of the British Troops employed in the Cape Colony are now being paid with money advanced by the British Treasury, or if we are also paying the expenses consequent on the employment of the Colonial Forces and Volunteers?

Colonel STANLEY, in reply, said, that a short time ago he had answered a similar Question, by saying that the Governor of the Colony had issued his warrant monthly for the military expenditure; that that, in point of fact, admitted the liability of the Colony; that the matter would have to be arranged with them; and that the funds for the moment were being paid on that warrant out of the Imperial Funds. As both Imperial and Colonial troops were acting as one Force, under one command, it had been found practically impossible to deal separately with them as regarded supplies and transport. Such an arrangement was tried, and not only failed, but, by bringing the Colonial Commissariat into competition in the market with the Imperial Commissariat, it had the effect of largely increasing both Imperial and Colonial Expenditure. The whole expenses for supplies and transport of Colonial Forces and Volunteers was, therefore, met, in the first instance, by advances from the British Treasury; but the Colony was repaying that expense by monthly instalments of £10,000, which, it was hoped, would be shortly increased. No pay was advanced from Imperial sources for the pay of such troops.

ARMY—ARTIFICERS OF THE ROYAL ARTILLERY.—QUESTION.

Colonel ARBUTHNOT asked the Secretary of State for War, Whether his attention has been called to the fact that the Artificers of the Royal Artillery are most inadequately paid in comparison with those holding the same rank and discharging the same duties in other corps; and, whether he can undertake to improve their position during the current financial year?

Colonel STANLEY: The question of the pay of the artificers of the Royal Artillery has been brought to my notice, and the point is under consideration with reference as well to its own merits as to its bearing on other arms; but the Estimates have been presented, and I fear I can hold out no hope of any change during the current financial year.

TURKEY—MURDER OF MR. OGLE. QUESTIONS.

Mr. H. SAMUELSON asked the Under Secretary of State for Foreign Affairs, What is the present condition of the investigation into the murder of Mr. Ogle, the "Times" correspondent in Thessaly, by Turkish soldiers?

Mr. BOURKE: In answer to the Question of the hon. Member, I have to state that Mr. Fawcett, Her Majesty's Consul General at Constantinople, and also Judge of the Supreme Court there, conducted the inquiry into the death of Mr. Ogle. On the 6th of May a telegram was received from Mr. Fawcett, stating that the inquiry had been concluded, and that he was about to return to Constantinople.

Mr. H. SAMUELSON: What I desire to be informed by the Under Secretary is, Whether Consul General Fawcett has reported the result of his inquiry on the murder of Mr. Ogle by Turkish soldiers; and, if so, when his Report will be laid on the Table of the House?

Mr. BOURKE: I said that Mr. Fawcett had conducted the investigation, which I thought was a distinct reply to the Question, and also that on the 6th of this month we received a telegram from Mr. Fawcett that he had completed the investigation. We have not received any Report from him; but when it is received, it will be taken into consideration by Her Majesty's Government. I must correct an observation that has fallen from the hon. Member. He seems to assume that Mr. Ogle's murder was occasioned by Turkish soldiers. That is one of the points Mr. Fawcett was to investigate; but I cannot express an opinion whether it was committed by Turkish soldiers or not.

RIVERS POLLUTION PREVENTION ACT, 1876.—QUESTION.

Mr. TENNANT asked the President of the Local Government Board, Whether any, and, if so, what steps have been taken by Her Majesty's Government to put in force the provisions of the Rivers Pollution Prevention Act of 1876, and with what results?

MR. SCLATER-BOOTH: The duty of putting in force the provisions of the Rivers Pollution Prevention Act of 1876, as my hon. Friend is aware, does not devolve upon the Government, but upon the local authorities. So soon as the Act came into complete operation, which was not until August, 1877, a Circular was issued by the Local Government Board, calling the attention of the local authorities to their powers and duties under the Statute, and applications immediately began to come in from various quarters—firstly, for certificates; secondly, for extension of time; and, thirdly, for consent to proceedings being taken. I may mention, to show that the operation of the Act has been widely spread, some of the places where proceedings have been taken—namely, Salisbury, Canterbury, Barnet, Wigan, Grantham, Isle of Wight, Withington, Hereford. But, perhaps, the most important result of the Act has been the prevention of fresh pollution of rivers, as no loan for sewerage works is now sanctioned unless provision is made or the purification of the sewage.

THE MILITARY FORCES — EXPENSES OF INDIAN CONTINGENT.

QUESTION.

MR. NEWDEGATE: I beg leave to ask Mr. Chancellor of the Exchequer, or some other Member of the Government, Whether he can inform the House when the Estimate mentioned by the Chancellor of the Exchequer on Monday last with respect to the removal of troops from India to Malta will be brought under the attention of this House?

MR. ASSHETON CROSS: In the absence of my right hon. Friend, I can only state what he himself stated to the House of Commons—namely, that he would let the House know at the earliest possible opportunity when he would be able to bring forward that Estimate.

THE MARQUESS OF HARTINGTON: I have been partly anticipated by the hon. Member for North Warwickshire; but it may be convenient that I should give formal Notice—as I had previously intended to do—that I will on Monday next ask the Chancellor of the Exchequer, When the Estimate for the expenses of the removal of Indian Troops will be laid upon the Table, and on what day he proposes that it shall be considered in Committee?

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POST OFFICE—MAIL CONTRACTS.

RESOLUTION.

MR. BENTINCK rose to call attention to the Contracts at present existing between the Post Office and the Peninsular and Oriental Company, under which the Company are fined for the non-delivery of the mails at the contract dates, without any allowance being made for fogs or bad weather; and to move—

> "That, in the opinion of this House, the existence and the enforcing of such a Contract leads to incurring great and unjustifiable risks, by inducing, and even compelling, the masters of mail packets to neglect the usual and necessary precautions in such weather, and thereby to endanger life and property; and that in such Contracts the give and take system ought to be adhered to."

The hon. Member said, he had taken up the question entirely on public grounds, not having the smallest amount of interest in any of the Companies comprised in the Resolution. The manner in which these Contracts were drawn up induced commanders of vessels to run unjustifiable risks, and involved great loss of life and property at sea. A letter, which had recently appeared in *The Times*, entirely bore out that view, and, indeed, might be accepted as an absolute proof of the correctness of that view; for that journal was not in the habit of inserting letters without having full confidence as to the position of their writers and their means of obtaining information. He maintained, therefore, that the inevitable consequence of holding a Company rigidly to the terms of its Contract under all circumstances was to jeopardize the safety of the steamers, their passengers, and crews. It was not right that such Contracts should contain the clauses to which he referred, as their retention had lately resulted in the loss of a fine mail steamer off Ushant, while attempting to cut off a corner, in order to save time. There was no possible justification for them, and the safest and surest way to all concerned would be to revert to the old system. The hon. Member concluded by moving the Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the enforcing of a Contract which makes no allowance for fogs or bad weather leads to great and unjustifiable risks, by inducing, and even compelling, the masters of mail packets to neglect the necessary precautions in such weather, and thereby to endanger life and property; and that in such Contracts the give and take system ought to be adhered to,"—(*Mr. Bentinck*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. ONSLOW said, he could not concur with the remarks that had fallen from the hon. Member. It was not absolutely the case that no ship of the Peninsular and Oriental Company's fleet had ever been lost; it was a fact that none of them had ever been lost on account of excessive speed in a fog. The case of the *Bengal*, with which he was himself acquainted, might, perhaps, seem to bear out the assertions of the hon. Member; but the fact was, that the delay was occasioned entirely by the inferior quality of the coal supplied, and was not caused by any danger or risk. He had never heard of any complaints on the part of the Company that the Government had been too hard on them; on the contrary, the Contract was, to some extent, expansive, and allowed a certain margin of time for stress of weather. If it were true that the *Poonah* had been fined £400, the fine must have been inflicted for reasons other than delay on account of bad weather. It could not be said that the captains of the Company's ships ever ran unjustifiable risks in using a high rate of speed during a fog; no body of officers were more praiseworthy, and they were particularly careful, both as to the discipline and the navigation of their ships—being, in fact, ordered to go at a low rate of speed rather than run into danger. The loss of the *European*, he would remind the House, was due to bad seamanship, and not to the terms of the Contract with the Government; and it was not in accordance with the practice of the captains of the Company to run risks in order to save fines. He thought that the Motion was rather uncalled for, and that the hon. Member had not made out any case whatever.

Lord JOHN MANNERS said, that he quite appreciated the motives of his hon. Friend who had proposed the Resolution, and he knew that he would, at the same time, do the Government the justice to believe that they did not desire to enforce any Contract injurious to human life. As a matter of fact, he had never before heard it suggested that the Contract had operated injuriously and had been the cause, either directly or indirectly, of any mishap and loss of life. It was a most extraordinary circumstance that, in the whole of the four years during which the contract had existed, no such case had occurred, though the Company's steamers had performed 364 voyages within that period. The matter did not rest there; for another Company—the Royal Mail Company—had a similar Contract with the Government, and their steamers had performed 154 voyages during the same period, without the loss of a single life having occurred through the provisions of the Contract. Consequently, for want of evidence, he was not much surprised to find that his hon. Friend had fallen back upon an anonymous letter published in *The Times*, which was said to have been written by an ex-captain of a Peninsular and Oriental steamer. He found that the Post Office had no knowledge of what was described in that letter as the "give-and-take system," nor was any information as to the meaning of the phrase to be had at the office of the Peninsular and Oriental Company; and he was consequently at a loss to know what was the system advocated in that letter. The old system was one of penalties on the one hand, and small premiums on the other; but he did not imagine that his hon. Friend wished them to recur to it; for if there were danger to life from the system of penalties, it would be increased by adding the motive of hope as an incentive to the ship's captain, and the House would probably agree with him that a premium for speed was not desirable. He confessed, then, that he thought the present system satisfactory. The Company itself had, in 1874, requested an alteration of the Contract then existing, and the Government, in making the alteration, had thought themselves justified in imposing penalties for undue delay. It was to be remembered that the Contract exacted no immoderate speed; the maximum contract speed was only 11 knots, and east of Suez the minimum fell to 9½ knots; so that the stipulation could not be said to be productive of danger. Since they had entered into that Contract no disasters had been attributed to it, and the *European*, which had been lost recently, belonged to neither of the two contracting Companies. In short, the existing system worked satisfactorily. Under these circumstances, and especially as there had been complaints from India that the contract speed of these ships did not meet the requirements of the mercantile community, he thought the hon. Member might rest content without asking the House to pass his Motion, which was devoid of all substantial foundation.

MR. BIGGAR concurred in the opinion expressed by the two last speakers, adding the expression of his belief that the proposed alteration would be injurious rather than beneficial.

SIR GEORGE ELLIOT said, he had in the course of the last 10 or 12 years made 25 voyages in the Peninsular and Oriental ships between this country and Egypt in all sorts of weather, and could bear testimony to the admirable manner in which those vessels were managed, both by officers and men. He had never known an instance of these ships going at an unduly fast speed in order to keep time. The present rate was, in his opinion, too slow; and he hoped the Postmaster General would provide for a material increase of speed when the noble Lord came to consider the renewal of the Contract.

Question put, and *agreed to.*

IRISH CHURCH TEMPORALITIES COMMISSIONERS—SALE OF LANDS.

OBSERVATIONS.

MR. PARNELL rose to call attention to the sales of land by the Irish Church Temporalities Commissioners. The hon. Member, who was prevented by the Rules of the House from moving the following Resolution:—

> "That, in the opinion of this House, further legislative facilities should be afforded for the purpose of enabling the occupying tenants of the Church lands remaining unsold to purchase their holdings,"

said, that he should venture to indicate the direction which he thought legislation should take with the view of affording the additional facilities required. He would, first of all, briefly allude to the powers which the Church Act of 1869 gave to the Irish Church Temporalities Commissioners in dealing with the various lands and other properties held by them in trust, and which were formerly the property of the Irish Church; but were, by the provisions of the Act, vested in the Commissioners. With regard to the particular point at issue, the Act empowered the Commissioners to sell the fee-simple of lands held of them by tenants, the right or pre-emption being given to the occupying tenants. The clause which gave this right clearly indicated the intention of the Legislature that every facility should be given to the occupying tenants to become proprietors of these holdings, in order that it might be seen how far the creation of a small class of peasant proprietors would be attended with beneficial results. He was very happy to be able to bear his testimony to a fact well known in Ireland — namely, that the Irish Church Temporalities Commissioners carried both the letter and the spirit of the Act as far as they legally could; they even went beyond the letter. They explained the advantages of purchase which would accrue to the tenants, many of whom were poor, ignorant, and rather suspicious of the introduction of any novelty in the management of these estates. By the Irish Church Act the Commissioners were also empowered to deal with the payers of tithe-rent charges —another description of property. These were principally large landed proprietors, and, by the provisions of the Bill, they were enabled to purchase their charge without paying any cash whatever. The charge was divided into 52 portions, and after an annual payment of £4 9*s*. per cent for 52 years the charge ceased. Thus, these holders were placed in a very advantageous position, the charge being converted into a sort of annuity, terminable at the close of 52 years. The occupying tenants of Church lands, however, had nothing like such favourable position under the Act of 1869, or any amending Act. They could only purchase their holdings by the payment of one-fourth in cash, and the payment of the balance by half-yearly instalments spread over 22 years, with interest of 4 per cent on the unpaid portion. Last year, he had introduced a Bill with the intention of redressing this inequality, and placing the tenant desirous of purchasing the fee-simple on the same footing as the purchasers of the tithe-rent charges. That Bill provided that the purchase money might remain outstanding, and be terminable in 52 years, with an annual payment of £4 9*s.* per cent. The Bill made some slight differences between the positions of the two classes, and fixed the purchase money of the holdings at a rather lower rate, and three objections to the Bill were taken by the Government and Members from the North of Ireland. It was complained that the action of that Bill was retrospective, and proposed to place the tenants who had already purchased their holdings upon the same position with those who would do so after the passing of the Bill. Secondly, it was said that the advantages of the Bill would not be solely confined to occupying tenants, but that others would step in and share them; and, thirdly, it was objected that the purchase price was placed too low. In the Bill of this Session he had yielded to all these objections; but, strange to say, the very converse objections to those of last Session were made to the Bill, and it was complained that the Bill was not retrospective. Thus, in endeavouring to please everybody, he had failed. There were still a considerable number of holdings remaining unsold, notwithstanding that the Commissioners made every effort to carry out the letter and spirit of the Act of 1869, and the tenants had shown an anxious desire to purchase their holdings. Half of the tenants had done so; and, after these sales and others in the Landed Estates Court, there remained some 700 or 800 farms unsold. Owing to the property of the Commissioners being broken up by small sales, it was not likely the land would find any purchasers but the occupying tenants. But, however, the people were quite unable to find the quarter of the purchase money necessary; and, therefore, he asked the Chief Secretary to bring in a short Bill, which would not interfere with Government Business and occupy but a very short discussion, to meet this difficulty. The last Report of the Irish Church Commissioners showed that while the lands sold to tenants were purchased at 23¾ times the amount of the annual rent, those sold to persons other than tenants produced only 22 years' purchase of the annual rent; and former Reports also demonstrated that a considerable profit arose from the purchase of their holdings by the tenants. The Commissioners also bore testimony to the desire on the part of the tenants and to their exertions to improve their holdings from the moment they became proprietors of them. If, in the case of these remaining 700 or 800 tenants, the purchase-money was allowed to become a sort of annuity, terminable at the end of 52 years, it would, in fact, assist in closing the account of the Irish Church Commissioners; for the value of an annuity it was easy to ascertain, and the value of these Church lands could thus be easily estimated. He did not think there was any special way of settling the Irish Land Question. There were a great many ways; but the sale of lands to tenants was not an unimportant branch of the settlement. In Ireland, as elsewhere, there existed the natural desire on the part of a man to own the soil which he lived on; and he asked the House and the Government, as responsible for the well-being of the people of Ireland, to say that some further legislative facilities were necessary in order that the remaining tenants of the Irish Church Commissioners might be enabled to purchase their holdings.

Mr. FAY expressed a hope that the Chief Secretary would give his attention to the subject. From experience, he knew the efforts that families had made in order to raise the necessary fourth of the purchase money, and evidence of a strong character had shown this before the Committee now sitting on the Bright Clauses of the Land Act. These tenants were really some of the poorest in the country, and the fourth to them was a large amount. He hoped the Government would bring in such a measure as would promote love of Constitutional rule among a class of peasant proprietors.

Mr. MELDON said, he hoped the Government would seize this opportunity of making an experiment as to whether the creation of a peasant proprietary could be carried out. A Committee was now considering the question upstairs; but, in this case, the Government had an opportunity, on a small scale, of bringing the matter to a practical test. It was most desirable to remove the obstacles which at present hindered the tenants of the Church lands from purchasing their holdings. The large sum which had been paid by the tenants under the present system showed how complete would have been the success of the experiment if greater legislative facilities had been given to the tenants to purchase their holdings. It was the more desirable to give these facilities, because the fact of enforcing the payment down to one-fourth of the purchase money of their farms tended to exhaust the capital which the farmers had for the cultivation and improvement of their holdings. The Commissioners' Report bore the strongest testimony to the manner in which the acquisition of the ownership of land had stimulated the improvement of the land by those who acquired it. He was satisfied that great advantage would arise from the establishment of peasant proprietors in Ireland. Nor would the State run any risk by advancing the whole purchase money to the purchasers. When a sum was to be repaid by annual instalments, the security would, after the payment of two or three instalments, be more than adequate. Indeed, even if no part of the purchase money was to be repaid immediately, the Land Act would be a sufficient security for the repayment to the Government of the sum advanced for the purchase by the tenants of their holdings. He did not think there was any objection in principle to the facilities which he desired to afford to the tenants for the purchase of their own holdings. The only objection related to matters of detail. But he did not think that these need or ought to stand in the way. Indeed, he believed that if the right hon. Gentleman the Chief Secretary for Ireland would take up the subject, he could easily pass a short Act on the subject, without inferference with the progress of any other Business.

Mr. J. LOWTHER said, the hon. and learned Member who had just spoken had supplied him, he thought, with an answer to the speech of the hon. Member for Meath. The hon. and learned Member had referred to the fact that this subject was being inquired into, not in a limited aspect of the question, but in its entirety, by a Select Committee; and the Government would hardly be justified in anticipating the Report of the Committee, whatever it might be, by embarking in experimental —for that was what it was admitted to be by hon. Gentlemen opposite—legislation which might or might not conflict with the recommendations of the Select Committee. Hon. Members had talked as if there were nothing to do but to pass a measure through Parliament without discussion. He hoped he might be allowed to transfer that immunity to some other measure which he might be in a position to introduce. The hon. Member for Meath was hardly justified in drawing from the Reports of the Church Commissioners the inference that they had not succeeded in applying their powers in a successful manner. He thought he was bound to point out that those powers had been exercised in a very full manner, and the results were more than the most sanguine had anticipated. They might, therefore, well wait for the recommendations of the Select Committee before making any alteration in the law. He wished to reserve any opinion he might hold as to the general principle of peasant proprietors; but he could not endorse the eulogy which had been passed on that principle by hon. Members who had addressed the House. It was a large subject, on which many opinions existed. The question before the House was a purely Irish one, and might be considered without reference to the larger one. The hon. and learned Member for Kildare (Mr. Meldon) seemed to infer from the success which had attended peasant-proprietorship in other countries that it would also succeed in Ireland; but he thought that the hon. and learned Member might be content to wait for the Report of the Select Committee. Its recommendations, he had no doubt, would contain many valuable suggestions, and he did not think they ought by legislation to anticipate them.

Mr. O'SHAUGHNESSY said, that, whatever might be the view of the right hon. Gentleman as to the subject of peasant proprietors in general, he was glad to see that the right hon. Gentleman did not dispute the applicability of peasant proprietorship to Ireland. He must complain, however, of the manner in which this Motion had been met by the Government. Here was an indirect effort to improve the peasantry by means which did not involve any deviation from established principles; but merely carried out the wishes of the Legislature as they were embodied in the Statute Book. But it met with just the same answer as other Motions on the subject of Irish affairs. They were told that the subject in its entirety was before a Committee, and it would be wrong to deal with it in a fragmentary manner; and then, when other Irish Business was brought forward, they were told that other Business stood in the way. That was the way in which, ever since he had been in the House, every attempt by Irish Members was met when they tried to bring forward practical measures dealing with the practical affairs of the people. He must remind the House, that while they were waiting for the Report of the Committee, as the Chief Secretary for Ireland recommended, the Commissioners were selling the land at their disposal. If, therefore, the House listened to the recommendations of the right hon. Gentleman, the intention of the Legislature, when it disestablished the Irish Church, would be defeated; and the lands which were intended to fall into the hands of the tenants would fall into the hands of the adjacent proprietors. He must say that he thought the House and the Government ought to listen favourably to a proposition to deal with the Land Question indirectly, and without deviation from the ordinary law of proprietorship.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES, CLASS II.

Supply—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £141,612, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments."

Sir ANDREW LUSK said, he wished for some information with regard to the Marine Survey Department of the Board of Trade. The officers engaged in this work were, for the most part, if not entirely, officers who had been engaged in Her Majesty's Navy, and were in receipt of pensions on account of the services which they had so rendered. There were many officers engaged in the Merchant Service who would be as well, if not better, fitted for the surveying of merchant ships, by reason of the nature of their employment; but they were almost entirely ignored, and they felt this to be a grievance of which they had a just right to complain.

Sir HENRY SELWIN-IBBETSON said, the officers in question were chosen because their long experience fitted them specially for the work they were called upon to perform. The fact referred to by the hon. Baronet, that many of them were in receipt of pensions earned by lengthened service in the Navy, showed that they were men of experience.

Mr. J. W. BARCLAY said, there were, to his mind, many reasons why officers from the Royal Navy should not be appointed surveyors in connection with the Mercantile Marine. One of the strongest of these was that surveyors so appointed went from a Service in which everything was done regardless of expense, to another, and a trading branch, where economy was bound to be practised, if success could be attained. Naval officers were accustomed to a different standard from that required in the Mercantile Marine, owing mainly to the fact he had referred to; and he therefore thought it clear that ex-Royal Navy officers were not, and could not be, the best-fitted persons for Board of Trade surveyors of merchant ships.

Mr. WHITWELL said, this Vote presented, in a very marked manner, the importance of the Motion which had been made by the hon. Member for Swansea (Mr. Dillwyn), for a nominal roll of those gentlemen in the Government employ who were in receipt of pensions under Government, or were deriving their total income from two or more branches of the Government Service. There were many officers who came within this description, and he thought Parliament was bound to require that information should be afforded on the subject. If on no other ground, it was important in order to the proper classification of the expenses of the different Government Departments under their proper heads. This was particularly the case in reference to the relations existing between the Customs Department and the Board of Trade, relations which had become so interwoven and involved that it was next to impossible so to separate them as to accurately classify and apportion the expenditure of each. One easy way of remedying this particular difficulty would be to amalgamate the two Departments, and he hoped the day was not far distant at which this would be done.

SIR HENRY SELWIN-IBBETSON said, he would carefully consider the suggestions of the hon. Member for Kendal (Mr. Whitwell), and in another year endeavour to have the accounts of the different Departments kept entirely separate. It was too late to make any alteration in the accounts for the current year.

SIR ANDREW LUSK said, he did not wish to make idle complaints, or unnecessarily to occupy time; but he did not think a sufficient answer had been given to the complaints of officers in the Mercantile Marine as to their exclusion from employment in the Survey Department of the Board of Trade. They were men of ability and experience; they desired a fair share of the appointments, and they did not think it fair that they should be almost entirely shunted to make way for members of another branch of the Naval Service of the country. Another point on which he wished to make a remark was the large amount of the law charges incurred by the Department in connection with the stopping of vessels supposed to be unseaworthy. He hoped the largeness of the amount was not due to the fact that ships were stopped unnecessarily; because it would not look well for a Government to be engaged in "harassing trade"—to use a mode of expression which had become historical—by taking steps which would unnecessarily prevent a large body of men from pursuing their calling. It was a very serious matter for the owners of merchant ships, or, indeed, for traders of any kind, to find themselves in the hands of the Law Officers of the Crown.

VISCOUNT SANDON replied, that the Merchant Shipping Act of 1876 provided for the payment of a compensation to the owners of ships which might be improperly stopped from going to sea, and he could assure the hon. Baronet that the utmost care was used to avoid unnecessary interference with the Mercantile Marine of the country.

MR. J. W. BARCLAY pointed out the largeness of the amount which was paid by the Mercantile Marine of the country in the shape of survey fees. Last year it was no less than £35,633, and thus formed a heavy tax upon a single branch of commerce. The small shipowners, especially, complained of this. In many cases, the owner was himself the master; and, it sometimes happened that these charges for surveys amounted to a considerable percentage upon the total value of the small craft which he owned.

MR. BIGGAR thought there could be no doubt that the amount of the Vote was excessive; and, in order to test the opinion of the Committee on the point, he would move to reduce it by £900, the salary paid to the Registrar General in the Register and Record Department. He found that the gentleman who held the office also received £100 a-year from the Mercantile Marine Fund, and £550 per annum as Auditor under the provisions of the Metropolis Water Act, 1871. He should have thought that the last appointment he had named would be sufficient to occupy any one man's time. Referring, in this connection, to the speech of the hon. Member for Kendal (Mr. Whitwell), he thought it most important that the names of all officials holding more than one appointment should be given to Parliament. There might, in this particular instance, be special reasons for the appointment of the Registrar General, whose name he did not know; but, on the first blush of the thing, it looked as if a gentleman had been appointed to a sinecure office—and, in saying this, he was bound to admit that the appointment did not seem to have been made by the present Government, which was a fact in their favour.

Motion made, and Question proposed,

"That a sum, not exceeding £140,712, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments."—(*Mr. Biggar.*)

Mr. PARNELL also hoped that the names of gentlemen holding two offices would be furnished, and in such a form as that the whole of each gentleman's connection with Government Departments could be traced without the inconvenient cross references which were at present necessary.

Sir HENRY SELWIN-IBBETSON said, he had already stated that he would give every information in his power, both with regard to the amounts paid and the names of the holders of the different offices; but he could not hope to do so in reference to the accounts of the present year, which had been drawn up in the form which had been customarily employed in the past.

Mr. BIGGAR said, the answer of the hon. Baronet was satisfactory up to a certain point; but he should like to know, further, whether the appointment of Auditor of Waterworks, held by the Registrar General, was a Government appointment, or was held independently of the Government? If this last suggestion were the correct one, it seemed clear that the gentleman held a professional appointment, outside the Government, which ought to take up the whole of his time, and also held one or more appointments under the Government in addition.

Sir HENRY SELWIN-IBBETSON said, the appointment as Auditor was held under Statute, and independently of the Government.

Mr. BIGGAR said, as it would be useless to press his Amendment, and as the answers of the hon. Baronet the Secretary to the Treasury had been, on the whole, satisfactory, he would ask leave to withdraw his proposal to reduce the amount of the Vote.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £27,156, to complete the sum for the Charity Commission.

Mr. GOLDNEY observed, that he had every year to say something with regard to this Vote, which he hoped soon to see removed from the Civil Service Estimates. This expense ought to be borne by the Estates themselves, and not by the nation. The Charity Commissioners had issued 2,600 orders, appointing new Trustees and making other arrangements, the cost of which should be borne by them, and would amount to a very small percentage on the value of the Charities. He hoped that the Secretary to the Treasury would look upon this as a matter which the public was fairly entitled to consider. At present, it had no control whatever, but had to bear the whole expense of the Commission. He should, therefore, unless some indications were given of an intention on the part of the Government to consider this subject, move on a future occasion that the expenses of the Charity Commission be borne by the Estates themselves.

Mr. RYLANDS said, the Committee was indebted to the hon. Member for Chippenham (Mr. Goldney) for having called the attention of the House to this subject.

Sir HENRY SELWIN-IBBETSON replied that the subject was an important one; and, should he continue to hold his present appointment, he would certainly endeavour to bring about some further arrangements.

Mr. GOLDNEY would give the hon. Gentleman one fact, which was that the income of the Charities passed through the hands of the Secretary to the Commissioners. A very small percentage on the cheques signed by this officer would be sufficient to defray the expense of the Commission.

Sir ANDREW LUSK remarked, that the Committee ought to be strong enough to say that the Charities should bear the expense of having their business managed for them, and it was but fair that the Government should act upon this suggestion. It would be a very easy way of dealing with the question to impose a small charge by way of commission.

Mr. BIGGAR thought, that if the system were in operation, that the expenses of the Commission should be borne by the funds of the Charities, the Commissioners might in time come to regard themselves as masters, and beyond the control of Parliament. He had heard that some of these Charities were not managed in accordance with the intention of their founders, and it was desirable that Parliament should not be deprived of its power to investigate the manner in which they were administered. There was no doubt that these Trusts all required a very careful scrutiny. He thought that if Parliament exercised the power of investigating the way in which the intentions of the founders were carried out by the Commissioners, some reform might be effected. In this case the sum asked for, which was by no means a large one, would be well spent. He, however, doubted much that this object would be attained by doing away with the Vote, and making the expense a charge upon the funds of the Charities.

MR. RAMSAY said, he had no fear that Parliament would lose its control of the Charities. It was extremely desirable that fees or a percentage should be charged for the work that was done, and that the public should be relieved from the expense of the Commission.

MR. BIGGAR admitted the feasibility of calling upon the Charities, which required schemes of re-organization to contribute towards the cost of the Commission. At the same time, he hoped that nothing would be done to interfere with the power of Parliament to criticize the conduct of the Department whenever the necessity arose.

MR. PARNELL believed that a considerable saving could be effected in the Vote. Two sets of Commissioners, Assistant Commissioners, and Secretaries were charged for—one set for Charities, and another set for Endowed Schools. He was aware that the two Departments could not be merged into one, because they were created under different Acts of Parliament, possessed different powers, and had different duties to perform. But, judging from the list of subordinate officers, the duties of the Endowed Schools Commissioners were comparatively light; and, in his opinion, it was most unreasonable that out of £9,500—the total cost of that Department—£7,300 should be absorbed by the salaries of the Commissioners. When those gentlemen came to retire, it would be well to make some attempt at economy.

MR. W. H. JAMES would like to be informed by the hon. Baronet the Secretary to the Treasury whether the noble Lord (Lord George Hamilton), who had recently been appointed fourth Charity Commissioner, would receive a salary in that capacity, in addition to his salary as Vice President of the Council?

SIR HENRY SELWIN-IBBETSON replied, that the noble Lord the Vice President of the Council would be an unpaid Commissioner. In answer to the hon. Member for Meath (Mr. Parnell), he might state that the Endowed Schools Commission was first appointed in the year 1869, and was provided for by a distinct Vote until a few years ago, when its powers were transferred to the Charity Commission; so that the Endowed Schools Commission, as such, no longer existed. Although the work of the late Endowed Schools Commission was now performed by the Charity Commission, the Departmental officers of the former still remained, it having been deemed advisable not to merge the two sets of officers; inasmuch as while the one Department would altogether cease to exist in 1879, the other was intended to be permanent.

MR. M'LAREN agreed with the suggestion that a moderate fee should be charged to the Charities to which new schemes were granted. The plan had been adopted in the Register House Department, Edinburgh. The total cost of that Department, as indicated by the Vote which would be asked for, was about £36,000 per annum; whereas the amount realized by fees was £44,000. To his mind, the fee system was as sound in principle as it was profitable in practice.

Vote *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £22,519, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Civil Service Commission."

MR. O'SHAUGHNESSY moved the reduction of the Vote by £2,000, the salary of the First Commissioner. Since the year 1875-6, the cost of the Commission had been gradually increasing. In that year the amount of the Vote was £20,483; whereas, in 1876-7, it was £22,000 odd; in 1877-8, £24,780; and this year, nearly £27,000—that was to say, during the last five years it had increased nearly 25 per cent. In the business of the Department, there was nothing whatever to justify such an extraordinary increase of expenditure;

but something occurred in the year 1875, which would probably, to some extent, account for what had happened since. In that year, there was perpetrated a proceeding which was sufficient to demoralize any public Department, no matter how sound was the principle on which it was founded, or how well it was conducted. In 1875, Sir Edward Ryan, the Chief Commissioner, retired. Other Commissioners were appointed, and Lord Hampton, a statesman who had done excellent service in almost every Department of the State, except this particular one, was appointed Chief Commissioner at the age of 76 years. That was not all. It became necessary to strengthen the Department, in order to remove the element of weakness, which the appointment of Lord Hampton made apparent. A third Commissioner was appointed, but at an inferior salary, and the selection fell upon a gentleman who ought to have been chosen in the first instance; for he was perfectly competent to discharge the duties, having for a considerable period filled the post of Secretary—he alluded to Mr. Walrond. The Chief Commissioner, who had had no experience in connection with the operations of the Commission, received a salary of £2,000 a-year, and Mr. Walrond, the other Commissioner, one of £1,200. The appointment of Lord Hampton was discussed in the House, and was severely condemned, though the Government of the day gained their point—as, indeed, they could almost anything. But the proceeding had borne fruit in constantly increasing Estimates. He was sorry to have been obliged to assume his present position. He wanted to maintain a great principle, and when he saw that principle abused, he had no alternative but to defend it. It had been deemed advisable to have the Department represented in Parliament. The Representative was in the House of Lords; but, if the expenditure of public money was likely to go on increasing at such an extraordinary rate, the sooner a Representative was had in the House of Commons the better. There was another feature in connection with the Department, which, he regretted, he was compelled to refer to, and that was that while they were expending public money in the manner he had described, they were exacting enormous sums, in the shape of fees, from young men who sought to obtain employment in the Civil Service. Each young man was obliged to pay a fee, first of £1 and next of £5, for the privilege of being allowed to present himself for examination. Those fees really represented an enormous sacrifice to young men of that class, and it was hard that they should be enforced while money could be saved by the abolition of a sinecure office. He thought there was no necessity for further attempting to justify his Amendment for the reduction of the Vote by an amount equivalent to the expenditure incurred by the appointment of Lord Hampton.

Motion made, and Question proposed,

"That a sum, not exceeding £20,519, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Civil Service Commission."—(*Mr. O'Shaughnessy.*)

Mr. DILLWYN supported the Amendment. He knew it would be quite useless to do so; but it was incumbent upon him to assume the position, as a protest against an expenditure for which there was not a shadow of excuse. The proceeding to which the last speaker (Mr. O'Shaughnessy) had alluded was admitted to be one of the worst political jobs perpetrated of late; and he felt shame that in an Assembly, the especial duty of which was to protect the public purse, it should be allowed. He could not understand how any person, whether Liberal or Conservative, could vote for the continuance of such a monstrous job.

Sir HENRY SELWIN-IBBETSON certainly could not follow the hon. Member for Swansea (Mr. Dillwyn) in his exaggerated views with regard to the Vote. It was said that the expenses connected with the Commission had jumped from £20,000 to £27,000 during the last few years; but he would call the attention of hon. Gentlemen to the fact that the increase was entirely due to the system of open competition, the adoption of which was unanimously recommended by the House. It had been found necessary to strengthen the staff, and that really accounted for the increase complained of. The remarks of the hon. Member who raised the discussion would induce the Committee to believe that the candidates who presented themselves for examination suffered a great hardship owing to the fees which they had to pay. It was said that they had to pay something like £6, and that that was a severe tax. But £6 was the outside limit paid by candidates under the first-class examinations. The fees payable under the different other examinations varied according to the requirements expected from the candidates, and they could not in any sense be deemed excessive. With regard to the attack which had been made upon the First Commissioner, he felt bound to say that Lord Hampton occupied an exceptional position, and that there was hardly any public servant who devoted more time and attention to the duties of his office. True, his Lordship was advanced in years; but a good many right hon. Gentlemen who had done service to the State were in the same position, and he was convinced that there were few public servants who brought so much power to bear upon the performance of the duties of his office as the noble Lord.

MR. DILLWYN disclaimed all intention of personally attacking Lord Hampton. His charge was, that, without any justification, a Nobleman had been put into an office for which he was not especially fit, over the heads of others who were especially fitted for it; and that, in addition to this, the salary of the office had been increased for his benefit.

MR. RYLANDS was sure that nobody entertained anything but feelings of respect for Lord Hampton, who had done public service for many years. There could be no doubt that a gentleman already in the Department might most properly have been selected as Chief Commissioner, and equally little doubt that he would have accepted the appointment at the salary previously paid, £1,500 a-year. The scandal was this—that a noble Lord of advanced years, who did not find himself in Office after the last General Election, was thrust, just to suit the convenience of the Premier, into an appointment. A salary of £2,000 was given when there was a gentleman, admirably qualified, who would have been happy to have accepted promotion at £1,500, so that £500 had been positively wasted. He had no doubt whatever that the transaction was a political job.

MR. O'SHAUGHNESSY quite admitted that he had been in error on the subject of the fees; but he did not consider it necessary to retract anything he had said respecting Lord Hampton, though he had not been actuated by the slightest personal hostility towards the noble Lord.

MR. BIGGAR said, that in spite of the explanation which had been given, the fact still remained that the applicants for Civil Service appointments, who took considerable trouble to qualify themselves for examination, were obliged to pay a substantial fee before they could be examined. That was a form of taxation which he hoped would not be perpetuated. The expense of education was so great, that it was an intolerable hardship to unnecessarily impose fees upon the candidates who presented themselves for examination—indeed, it would be wise for the Government to consider, by the time the next Budget was introduced, whether the pressure on a very deserving class could not be lessened. As to the appointment of the First Commissioner, he considered the explanation of the Secretary to the Treasury most unsatisfactory. He did not see that a Chief Commissioner was wanted at all. The experience of the House was that the Assistant Commissioners did all the work; and, therefore, he did not see why they should be called upon to vote so large a sum as £2,000 a-year to pay a Nobleman now 80 years of age. It would be much better to utilize this sum in lessening the taxes laid upon young men who came up for examination, and who had undergone all the preliminary risks, labours, and anxieties, than to give the sum as a pension to a Nobleman.

MR. WHITWELL was not going to draw the attention of the House to the salary paid to the noble Lord the Chief of the Civil Service Commission; but he did ask the serious consideration of the Secretary to the Treasury to one fact, and that was that out of a certain number of persons employed 16 were receiving salaries of £200 a-year, whereas no less than 11 received salaries of something like £1,000 a-year. The proportion of highly-paid salaries exceeded that to be found in any other Department. To show that when the First

Commissioner was appointed, the two Assistant Commissioners might have done all that was needed, he might mention that one of the Assistants was now engaged, for part of his time, in the work of translation; and he contended, that if one of the Assistant Commissioners could give up his time to the work of the Record Office of so abstruse a character as the translation of Hindoo and Sanscrit books, it was unnecessary to appoint a Chief Commissioner at a salary of £2,000 a-year. He did not wish to make any remarks antagonistic to the Nobleman who now held the office; but he thought the whole matter needed revision.

Mr. MACDONALD said, he objected to the appointment of the First Commissioner when it was made, and he objected now to this form of out-door relief to aged statesmen by giving them a living out of the public funds. He hoped that the hon. and learned Member for Limerick (Mr. O'Shaughnessy) would take the sense of the House upon the question.

Question put.

The Committee *divided:*—Ayes 50; Noes 60: Majority 10.—(Div. List, No. 113.)

Original Question put, and *agreed to.*

(4.) £14,141, to complete the sum for the Copyhold, Inclosure, and Tithe Commission.

(5.) £6,830, to complete the sum for the Inclosure and Drainage Acts, Imprest Expenses.

(6.) Motion made and, Question proposed,

"That a sum, not exceeding £43,325, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Department of the Comptroller and Auditor General of the Exchequer."

Mr. PARNELL said, he noticed that one of the clerks in the office received £200 a-year as Auditor to the Duchy of Lancaster. He could not see how this gentleman could at the same time perform duties in the Exchequer Audit Office and in the Office of the Duchy of Lancaster; and, therefore, he wished to know whether any duties in respect of the latter office were performed, or whether the position was a sinecure?

Sir HENRY SELWIN-IBBETSON said, the duties of Auditor of the accounts of the Duchy of Lancaster were performed by a gentleman who was a clerk in the Exchequer Audit Office; but they did not interfere with his work in that office.

Mr. WHITWELL desired to be informed why a special sum should be voted for Chancery auditorage?

Sir HENRY SELWIN-IBBETSON said, the audit of the Chancery accounts was a separate thing, as ordered by the 35 & 36 *Vict.* c. 34.

Sir ANDREW LUSK thought the whole principle bad. Here was a clerk in the Exchequer Audit Department having £200 a-year to audit the accounts of the Duchy of Lancaster. They all knew that the Exchequer Audit Department was well managed, and he had the greatest confidence in it; but, if one of the clerks were taken away to audit the accounts of the Duchy of Lancaster, he could not have time to do his own work. He did not find fault with the gentleman who held the two offices; but what he found fault with was the pluralist system, by which one must suffer, and, therefore, he hoped his hon. Friend the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) would discountenance such a system.

Mr. BIGGAR said, he had heard the explanation of the hon. Baronet the Secretary to the Treasury (Sir Henry Selwin-Ibbetson), and the remarks of the hon. Baronet the Member for Finsbury (Sir Andrew Lusk), and he was not at all satisfied with the explanations regarding this clerk who audited the accounts of the Duchy of Lancaster. That gentleman got £200 a-year for that work, and he supposed he received £800 a-year from his office in the Exchequer Audit Department. It was, however, clear that he must neglect his work in one office during the year. If a good salary were given a man for a particular office, he should attend to it, and should not be allowed to have another Department to look after. Therefore, he moved that the Vote be reduced by £200, the sum which was paid to this chief clerk for auditing the Duchy of Lancaster accounts.

Motion made, and Question proposed,

"That a sum, not exceeding £43,125, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Department of the Comptroller and Auditor General of the Exchequer." —(*Mr. Biggar.*)

MR. PARNELL asked why the accounts of the Duchy of Lancaster should not be audited by the Audit Department? They had a full staff of seven Inspectors or principal clerks, excluding a chief clerk, all of whom received good salaries. Then there was a large number of first and second class clerks, so that there was a sufficiently large staff to audit the accounts of the Duchy of Lancaster. Instead of that, the accounts were audited at the Office of the Duchy—if there were any—or they were brought into the Audit Office and examined by this gentleman, who received £200 for the work. No one could understand why this should be done, and it seemed to him very like what was called in and outside that House a "job."

SIR HENRY SELWIN-IBBETSON said, the accounts of the Duchy of Lancaster were kept distinct; and, therefore, they were audited in their own offices. The hon. Member for Cavan (Mr. Biggar) seemed to think that the Auditor of those accounts received an extra salary for neglecting his work in the Exchequer Audit Office; but this was not so. The work of his Department had always to be done, and the audit of the Duchy accounts had to be performed in his own time—either in his holidays, or after his ordinary work was concluded. Therefore, the payment was for extra work, and he would remind the Committee that it was only a short time ago, at the express wish of the House, that the sum was put in the Votes. In no case could it be shown that this money was earned by doing the work in the time which ought to be devoted to the Exchequer Audit Department.

MAJOR NOLAN thought it would be much better for the officials of the country to do the work, than to allow the Duchy of Lancaster to have its own auditors. It would be much better to have someone to audit these accounts who was paid by the Government, than to have one paid by the Duchy; because, by the latter course, they at once put a man in the pay and service of the Duchy. He did not think that was a position in which an auditor, no matter how perfectly he did his work, should be placed.

MR. MELLOR said, the auditing the accounts of the Duchy was separate work, and should be paid for separately, the expense being borne by the office employing the Auditor.

SIR HENRY SELWIN-IBBETSON said, these were Royal Revenues, over which Parliament had no control; and, therefore, the audit was that of the Duchy itself. The Duchy had desired, in selecting its Auditor, to get someone of experience from the Audit Office, who in his spare time should do their work at a salary of £200 a-year.

MR. MACDONALD objected to a man holding two offices. Either he had no work to do in one place, and, therefore, his services might be dispensed with, or he should be kept at work in his Department, and not be allowed to take the second position for the sake of getting an extra £200 a-year.

MR. J. W. BARCLAY wished to know why, if the work of auditing the accounts of the Duchy of Lancaster Office was done in the time of the clerk, the Vote appeared in the Papers at all? It seemed to him that this system was altogether wrong. If the Duchy of Lancaster desired to have a responsible audit of its accounts by one of the clerks of the Exchequer, it was right that it should be so; but the £200 a-year ought to be paid to the Treasury. Therefore, if the hon. Member took a division on this matter, he should be happy to support him.

MR. RAMSAY would like to ask the hon. Baronet opposite (Sir Henry Selwin-Ibbetson) what was the course pursued with respect to the audit of Chancery accounts? Were there any fees exacted from the persons whose estates were under the Court of Chancery; and, if so, where did these funds go? Because, if the fees were applied to pay the cost of audit, in that case it was right that a similar practice should obtain here; but he did not hear that there was anything of that kind. If fees were exacted from the Estate for the audit, the country would be saved the sum of £8,000. He did not wish that the country should make any profit from those persons who were in Chancery, but he did think it reasonable that those persons should bear the expense of the audit.

Mr. M'LAREN said, that the £200 addition to salary involved a very important principle, and he should like to state in a sentence or two the view which he took. There were seven of these gentlemen whose services were paid for at £800 or £900 per annum; and one of these clerks received £200 in addition from the Duchy. It was quite plain, that if one of these clerks, whose time was worth £900 a-year, was employed for three months in doing the business of the Duchy of Lancaster, then the Audit Office lent their clerk to the Duchy of Lancaster. Who should receive payment?—not the clerk, but the Audit Office. It should be put among the fees they received, that £200 a-year was received by the Treasury from the Duchy of Lancaster. He altogether objected to a man coming in for a second salary by neglecting part of his work, as he necessarily did in this case.

Mr. PARNELL would certainly vote with the hon. Member for Cavan (Mr. Biggar), unless he received some assurance from the Government that the time the clerk spent for the Duchy of Lancaster was his own time. Of course, when he gave his own time, it was an entirely different question. The hon. Baronet opposite (Sir Henry Selwin-Ibbetson) knew the hours the Departments were employed—or, he presumed the hon. Baronet knew—and what were the duties the clerks had to perform. He received the considerable sum of £200, and it was reasonable to suppose that the duty must take up some time; and, of course, if any portion of the time the clerk ought to spend at the office was employed in auditing these accounts, he was not entitled to receive salary from an outside body. It ought to go to the Audit Department. They were told that the auditing of the accounts of Greenwich Hospital would be recovered from that body, and paid into the Exchequer. That was a business-like way to go to work. If the Duchy of Lancaster wanted its accounts audited by the Audit Office, let the Audit Office undertake it, and be paid for it as they were paid by the Church Temporalities Commission in Ireland and by the Board of Trade. They ought to have some assurance from the hon. Baronet on this question.

Sir HENRY SELWIN-IBBETSON knew it was a rule in the Public Service that clerks should give to the Public Service a certain number of hours; and that for any extra work they did, they were entitled to receive such emolument as was shown in the foot-note was given in this case. Such work was done in the clerk's own private capacity. The auditing of the accounts of the Duchy of Lancaster did not require the time the hon. Baronet had suggested. If a clerk devoted a certain number of hours to the Public Service, his time after that was at his own disposal; and if he was auditing the accounts of the Duchy of Lancaster, as private work, there was no regulation against his doing it. There was one thing which was brought into view by this discussion, and that was that the Departments gave as much information as could possibly be obtained with respect to extra remuneration obtained by public servants. They had means of knowing when public servants received extra remuneration, and they put that information in the Estimates. But they had no control over a man's private time. When he had given his time at the office, that was all that the office could exact from him. It was when he received extra pay from a public office that the public were made aware of it. That would have to be multiplied enormously if they could put down the money gained by clerks from other sources. All the Department had done was to put down the amounts the clerks received from other public offices during the time they were not in their own offices.

Mr. H. SAMUELSON had no doubt the hon. Baronet had spoken to the best of his knowledge; but he must remember that there were private secretaries who were at the same time clerks in public offices, and who did not give their time at their offices at all; such as the Private Secretary of the Chancellor of the Exchequer, and others about whom there had already been discussion. He did not mean to draw the inference that the hon. Baronet knew the case of this particular clerk to be of that kind. If the House objected to all the extra emoluments these clerks earned in their spare time, they would have a great task before them. They would have to look to the great trading establishments which were carried on in

London—and he thought rightly carried on—by public clerks at a time when they were not employed in public offices. But that did not apply to the case of private secretaries who did not give their time at their office at all.

SIR HENRY SELWIN-IBBETSON said, that in the case of private secretaries the work done was equally official work, and was different from the work done by one office for another.

MR. H. SAMUELSON said, he saw the distinction the hon. Baronet made.

MR. BIGGAR was unwilling to give the Committee the trouble of dividing; but, at the same time, he was not satisfied with this explanation. The hon. Baronet had stated what was the general rule in a public office, but he went no further. He must say he had no fault to find with the statements the hon. Baronet had made, so far as the general principle was concerned; but he had not stated what was done in this particular case. He thought the point raised by the hon. Member for Edinburgh (Mr. M'Laren) really met the case. That was, that if the Duchy of Lancaster required that its accounts should be audited by a Public Department, it should be done by the Department and not by a private member. This Duchy of Lancaster property was of a peculiar nature. It was partially private Crown property, and was partly of a public nature. One Member of the Government, who had a seat in that House, and was, he believed, paid by a Vote of Parliament, was in charge of the Duchy of Lancaster property. The Chancellor was a Member of the Government, and had a seat in that House, and if he did not sit in that House he could not hold Office. It was only right that these auditors who divided their time should give all their time to the duties of their office, and should charge a reasonable sum for doing so. If this gentleman worked all night on the Duchy of Lancaster accounts, he would be less qualified next day to perform his duties to the Government. If he were in his own office a certain number of hours, and then gave a certain number of hours to other work, he would be more or less embarrassed, and would give less to the Public Service.

MR. WHITWELL hoped the hon. Member (Mr. Biggar) would not divide on a sum which was not covered by these accounts at all. He hoped the hon. Member would be satisfied with what the hon. Baronet had stated.

MR. PARNELL trusted the hon. Member for Cavan would not take the trouble to divide the Committee on this question. He hoped the hon. Baronet would take the trouble to see how the duties of this office were performed. One part of it was an office held under the Crown, and another part of it an office held under Parliament. He did not believe the hon. Baronet wished to make inquiry as to the extra work that the clerks performed, but he had told them to the best of his belief that these were extra duties; and he, therefore, hoped the hon. Member would not put the Committee to a division. He trusted the hon. Baronet would inquire into the matter so as to give fuller explanation on the next occasion.

MR. O'DONNELL wished to say a word as to what was said by the hon. Member for Kendal (Mr. Whitwell). As the Vote stood at present, it came to this—it was a sort of injustice to other clerks who were presumably earning, and fully earning, the salaries appointed to them. Unless next year, the hon. Baronet who had charge of the Department, could assure the House that the office hours for the Duchy of Lancaster only began when the office hours of the other Department ended, it would be open to the suspicion that one of the principal clerks obtained a salary of £900 a-year, and had £200 a-year from another office, and earned this during the public time, while the other clerks only got £900. One of their colleagues got £1,100 for neglecting his business to the tune of £200 per annum. Unless some investigation was made next year, this was likely to continue.

MR. BIGGAR was very unwilling to differ from his Colleagues, and was disposed for that reason to ask the Committee for leave to withdraw this Motion. At the same time, he must say he was not at all convinced that he was right in doing so. He believed his duty was to take the opinion of the Committee on the question. Hon. Friends of his were disposed to differ from that opinion, and he was willing to take their opinion, and to ask leave to withdraw the Motion.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(7.) £5,085, to complete the sum for Friendly Societies.

Mr. PARNELL noticed that there was considerable difference between the salaries of the Assistant Registrars in England and those in Scotland and Ireland. The salary of the Assistant Registrar in England amounted to £900, including a personal allowance of £800. The paragraph did not state what the personal allowance was for. He should be glad to have some explanation on that point. The salary of the Assistant Registrar in Scotland and Ireland only amounted to £300 a-year. He was aware that the duties of this office were more numerous in England than in Ireland. He could not speak of Scotland. In Ireland he knew that the Assistant Registrar had as much as he could do, and had only one assistant at £100 a-year. This was part of a system, which he was sorry to see was very much practised in the preparation of these accounts, of starving the Civil servants in Ireland. In no cases were they given equivalent salaries to those in England. In former times it was much worse; but attention had been called from time to time, and the salaries had been raised in some Departments. They had an example in the National School Teachers, for whom they agitated five or six years before they obtained the same salaries that were paid to English and Scotch National School Teachers. He did not know whether the Government intended to starve them out in Ireland. If they had those intentions, they would not succeed, because they had tried it two or three times before and had not succeeded. It did seem strange that there should be this difference. It might be said that living was cheaper in Ireland than in England. He knew he could live cheaper in London than in Dublin. Therefore, that was no reason for giving less in Ireland than in England. The duties in Ireland were very great, though, of course, not so great as in England. But in England, the Assistant Registrar had two clerks, four copying clerks, and an actuary; so that it was evident the office in England was not undermanned, whereas the office in Ireland was very much undermanned, and there was only £400 for clerk and assistants.

Sir ANDREW LUSK, before the hon. Baronet the Secretary to the Treasury answered, wished to ask him how the Friendly Societies Act was working? The right hon. Gentleman the Chancellor of the Exchequer took great pains to frame that Act, and they in the House of Commons took pains to get it to work well, and it would be interesting to know how it worked. If the hon. Baronet would tell them that, they would be glad to hear that they had been instrumental in promoting the well-being of these societies throughout the country.

Mr. MACDONALD differed very much from the hon. Member for Meath (Mr. Parnell) in his estimate of work done by the Assistant Registrars in Ireland and in England. The hon. Member for Finsbury (Sir Andrew Lusk) asked how the work had been done. He would recommend him strongly to examine the Reports prepared by the Chief Registrar. He ventured to say that no more interesting Reports were ever issued by the Government. The Chief Registrar had brought such knowledge and skill to bear on the subject as had rarely been exercised by any one Department in this country. As one who took an interest in the matter, he felt bound to say that the money spent on this Department was exceedingly well spent. The Registrar had shown an amount of vigour and industry which was highly creditable to him.

Mr. WHEELHOUSE believed the system now in vogue had given the greatest possible satisfaction. Probably few people knew more of the work in the large towns of the North of England than he did; and, having given much consideration to the subject, he was prepared to say that, probably with certain modifications, which he hoped to see, there was no Act of Parliament at any time, or under any circumstances, which had been of greater service to the wage classes of the country than this Act had been. Most assuredly, that which the hon. Member for Stafford (Mr. Macdonald) — from whose views he often felt bound to differ very widely—had said as to the industry and care which had been shown in the working of the Act, he could emphatically endorse. In fact, the whole of the arrangements, so far as they had been carried out up to the present time, afforded strong evidence of the strenuous exertions used to make the Act work well. There must necessarily, under all circumstances, be particular sections of an Act of Parliament which would be found not to work—especially, perhaps, at first—satisfactorily in the case of those for whose benefit they were passed; but, so far as the actual machinery of this Act was concerned, he apprehended that there never had been a greater example of fidelity to the intentions of the Government than had been shown in the working of it. Knowing the immense care which had been taken by every one of the officers of the Friendly Societies—whether they were the United Order of Oddfellows, or smaller Burial Societies—to make the Act do its work as well as possible, he did not think it would have been right on his part had he not added his testimony to that of the hon. Member of Stafford, with whom on this question he was in complete accord.

MR. J. W. BARCLAY remarked, that the point raised by the hon. Member for Meath (Mr. Parnell) was the difference which existed in the salaries given in the three countries to a similar class of officers; and he hoped the hon. Baronet (Sir Henry Selwin-Ibbetson) would be able to inform the Committee upon what principle these salaries were settled. Leaving out of account the salary of the Chief Registrar in England, he observed that the Assistant Registrar had a salary of £700 a-year, his maximum income being fixed at £800, and that the Chief Clerk had £500, while the Assistant Registrar for Scotland had only a maximum salary of £300. Surely, the latter might have before him the prospect of attaining to as good a position as the Chief Clerk in England, with a maximum salary of £500 a-year. He had himself no doubt that the duties in Scotland and Ireland were quite as onerous and responsible as those which were discharged by the Assistant Registrar in England.

SIR HENRY SELWIN-IBBETSON explained, that it was not until the passing of the 18 & 19 *Vict.* that any salaries were fixed with reference to Scotch and Irish Registrars, and the maximum then decided upon was £150 per annum. The Act passed in 1876, to which reference had been made, raised the salaries all round. It raised the salaries of the Assistant Registrars in England to the point at which they at present stood in the Estimates, and those of the Assistant Registrars in Scotland and Ireland from £150 to £300 a-year. The relative proportion which the salaries paid in England bore to those paid in Scotland and Ireland seemed to have been carried out in the different Acts which had been passed from time to time. The amount of work performed in this particular Department in England was very much larger than in the sister countries, and that really accounted for the difference in the salaries.

MR. BRISTOWE observed, that the hon. Member for Meath (Mr. Parnell)—whose industry in all these matters everybody must recognize—had referred to one matter which the hon. Baronet had omitted to notice. The hon. Member had referred to the actuarial charges, and suggested that they were considerable. Now, his (Mr. Bristowe's) notion was—and he should be happy to be corrected if he was wrong—that the actuarial charges, although put under the head of England, applied to the three Kingdoms.

SIR HENRY SELWIN-IBBETSON: I believe that is so.

MR. BIGGAR said, that speaking generally of these charges, he thought there was no Department of the Public Service in which it was more desirable that the work should be efficiently done. They knew, from the evidence given before the Commission which made inquiry into these Friendly Societies, that their affairs were carried on in such a manner that parties who had insured ran very great risk of losing their money. He thought, therefore, that the Committee should not be too severe in its scrutiny of the expense of examining the affairs of these different Societies, with a view, as far as possible, of keeping them in a solvent and honest state.

Vote *agreed to.*

(8) Motion made, and Question proposed,

"That a sum, not exceeding £320,193, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Local Government Board, including various Grants in aid of Local Taxation."

MR. O'DONNELL said, that on looking over the details of the Vote, he saw that there were three junior legal assistants with salaries ranging from £300 to £450 a-year. He should like to know who were these gentlemen, and what was the character of their duties?

Mr. MELLOR remarked, that there was another item respecting which he should like to have some explanation. He observed that there was an architect with a salary of £600 a-year, and two assistants with salaries of £400 and £280 respectively. He could not see what they had to do with the relief of the poor. It might be that they were called in to advise the Board occasionally; but, if that be so, all he had to say was that, speaking from practical knowledge of his own Union, whenever these gentlemen had been called in they had led the Guardians grievously astray.

Mr. O'CONNOR POWER said, that before the hon. Baronet rose to answer the Questions that had been put, he would express his regret, in the first place, that the right hon. Gentleman who presided over this Department was not in his place. [Mr. Sclater-Booth was here seen to take his seat on the Treasury Bench.] He was very glad the right hon. Gentleman had put in an appearance while somebody was asking on his behalf for the modest sum of £384,000. He did think it strange that the President of the Local Government Board had not favoured them with his presence until then; because, of course, it was a very large sum, and naturally Questions would arise upon the Vote, which only the right hon. Gentleman himself would be competent to deal with. Now, he (Mr. O'Connor Power) noticed that under the head of "Travelling Expenses" there was a sum required of £6,300. That was a very large sum, and what he would like to know was whether that included the expenses which were involved in the deportation of Irish paupers from England to Ireland? That was the subject to which he would just for a moment wish respectfully to invite the attention of the Committee; for the state of the law was such in this respect that young Irishmen who came to England and laboured there for a lifetime were in their old age, when unfit for further work, sent back to be supported by a country to which they had rendered no service. Visiting one of the workhouses in the county which he represented, some time ago, he was brought to see an old man, a man of about 80 years of age, who had spent 40 years of his life in England, and who had married an English wife and brought up an English family. Many members of his family, although not in a position to support him were, nevertheless, contributing in their own humble, but very successful, way towards the wealth of this great country. Well, when this poor man had been reduced, by the effects of a life of toil in England, to such a position as to be utterly unable to gain a livelihood, he was sent back to Ireland to be supported by Irish rates. He failed to see that such a system could be considered just. To him it appeared a gross injustice, and he would like to know whether this sum of £6,300 was intended to cover travelling expenses of that kind. If so, he was decidedly of opinion that Ireland ought not to be called upon to pay them, and certainly Irish ratepayers ought not to be called upon to support paupers of that class. He might be asked, what was the remedy? Well, he would not alter the law so that any number of Irish people might be sent from Ireland indiscriminately and placed upon the rates in England; but what he would do was this—he would fix a term of years which would give a man all the rights of naturalization in England, if he might colloquially use that word. They could fix it at five or 10 years; but really, as he understood the law at present, it was in the power of English Guardians, or Scotch Guardians for the matter of that, to send Irish paupers back to Ireland under the circumstances which he had described. He thought it was a matter that they should protest against, and that they should invite the right hon. Gentleman the President of the Local Government Board to give some explanation in regard to it before they consented to pass this Vote.

Mr. SCLATER-BOOTH was sorry that he was absent at the moment when this Vote was called on, but he had been in his place since 5 o'clock. He could scarcely think the hon Gentleman could have been serious in the Question he had put. He had asked whether the travelling expenses which appeared in the Vote had anything to do with the removal of Irish paupers back to Ireland? He (Mr. Sclater-Booth) need hardly tell the Committee that the item referred exclusively to the travelling expenses of the Inspectors of the Local Government Board in connection with the duties which they discharged for the Department; whereas the travelling expenses incurred in the removal of paupers were defrayed by the localities removing them in accordance with the provisions of the law in that respect. The hon. Gentleman would do him the justice to remember that it was not two years since he made a proposal that there should be a certain term of years after which an Irish pauper should not be removed to Ireland; and he might add that when objection was offered to the details of the plan he then propounded, the Irish Members made common cause with English Members in opposing them. The result was that they were considerably modified by the House.

MR. PARNELL said, he was sorry there was no item in the Vote under consideration upon which he could raise an important objection. As he understood the President of the Local Government Board, they were now asked to pass a Vote which applied to purposes of removal of Irish paupers from England and Scotland to Ireland, but not specially so in any one item. He understood that to be the fact, and he was sorry for it; because he was compelled by it to take a step which he felt exceedingly unwilling to take, and which, under different circumstances, he certainly should not have taken. If they had a special item in the Vote, they could object to its being employed for purposes incident to the removal of Irish paupers from England and Scotland, and would have something to lay hold of in connection with the question at issue. Unfortunately, however, they had to look to a higher quarter. The President of the Local Government Board had detailed the exertions he made some years ago to pass a Bill through the House of Commons to remove the objections which Irish Members had always felt to the removal of these paupers, and which would remove the hardships now felt under the law as it existed. But the right hon. Gentleman was mistaken in supposing that the Irish Members in any way made common cause in that House to oppose the passing of that Bill. He remembered when it was introduced, and that their attention was directed by the late lamented Member for the city of Cork (Mr. Ronayne), and other hon. Members, to the cruelty of the Bill as it stood. They pointed out that the clauses as they stood, though they went, to a certain extent, in the direction they desired, did not at all fulfil the wishes of the Irish Members, or meet the necessities of the case. The Irish Members assisted the right hon. Gentleman the President of the Local Government Board on that occasion as far as they could. They made no common cause with anybody inside that House with respect to the question; but it was the selfishness of the English and Scotch Members that prevented him from carrying out his intentions. So far from his giving effect to them, he went back from them, and allowed the Bill to be modified by the selfishness of the English and Scotch Members; and he (Mr. Parnell) said that, so far from the Irish Members being responsible for the defection of the right hon. Gentleman, they would have supported him if he had not yielded to a pressure brought on him, not in that House, but outside it, to modify the clauses in Committee. When the Bill came before the House in Committee, they found that the clauses, which were passed in the usual way—about 1 o'clock in the morning—did not satisfy their expectations, nor fulfil the conditions which the Irish Members thought necessary or desirable to meet the requirements of the case. The right hon. Gentleman had modified them, and, against his own sense of right and justice, they were made practically inoperative. Now, whom had they to look to, to see that a grievance of that kind should be remedied? The one they should look to was the responsible originator of legislation on the subject, who was responsible to the greatest and highest extent for imperfections in the legislation, and for the removal of hardships in carrying it out. It was the President of the Local Government Board, and it was useless for him to mislead himself or the House by the assertion that the Irish Members, or any portion of them, connived at the changes made in the Bill by the English and Scotch Members. The law was as bad as it ever was. Horrible and heartrending cases of hardship occurred, and no one could have any sympathy with such an iniquity, for it was nothing else. Children came over—very little children—their parents died; they grew up, and worked for many years; their services were of the greatest benefit to the community; they were hewers of wood and drawers of water; they made their railways and built their cities; and then, when they were worn with age or infirmity, they gave them a third-class ticket and sent them home again, giving them a kick at the same time, and saying to them—"Get back to your dirty country, and die there." That was practically what they said. It was a scandal which he wondered should have continued as long as it had; but he held the President of the Local Government Board responsible for it, and as he could not take any other step to mark his sense of this injustice, he should now move to reduce the Vote by the amount of his salary—by £2,000.

Motion made, and Question proposed, "That the Item of £2,000, for the Salary of the President of the Local Government Board, be omitted from the proposed Vote."—(*Mr. Parnell.*)

Mr. O'CONNOR POWER said, that while he endorsed every word that had fallen from his hon. Friend the Member for Meath, with respect to the iniquity of the present law, he rose to remove from the mind of the right hon. Gentleman that he meant to show him any discourtesy. He frankly acknowledged that he did not see the right hon. Gentleman in the House; and not being there, as he conceived, he could only deal with the question as it rose at the time. He was glad they had the right hon. Gentleman with them to discuss that important subject as it should be discussed. Of course, the right hon. Gentleman had given his practical explanation of the causes that had operated to preserve this odious law in its present form; but probably he might be able to say, for the satisfaction of the Irish Members of the Committee, whether there was any chance of initiating a Bill that would lead to more satisfactory results. The hon. Member for Meath had given some fair reasons for fixing the responsibility on his shoulders. He did not himself say he was responsible; but there was no doubt that Irish Members were under a distinct moral obligation to denounce this system, and to express censure on those whom they conceived to be responsible for it. The grievance was a great one, and it fell on a class of Irish people not represented in that House. They spoke on the subject for the very reason, and with the most perfect disinterestedness. He did trust the right hon. Gentleman would make some statement that would satisfy the just and reasonable expectations of the Irish Members on that question.

Mr. SCLATER-BOOTH explained that he had only spoken briefly just now, as he did not consider it necessary to enter into the subject of removal on that Vote; but the responsibility for the law as it stood could not be said to rest with him, but with Parliament, as he had not had the sole charge of the question. He must correct the hon. Member who spoke last but one, when he assumed that the measure to which he alluded was passed at 1 o'clock in the morning, and that the arrangement then come to was effected by means of pressure from outside the House. The real fact was that the measure came on at a Morning Sitting, and the particular proposal he made, and which he thought was a fair and reasonable proposal, to annul the grievance to which the Irish Members drew attention, was a proposal which attracted a great deal of interest in the House, and was the subject of discussion for several hours. The Irish Members objected to a provision which had reference to Ireland only. He would not go into the matter now; but the effect of the representations then made to him was to change that provision from one having a special application with regard to one part of the Kingdom to a provision of an entirely different character, applying generally to removals from one part of the Kingdom to another. The Amendment was a reasonable one, and it worked extremely well; but it was not what he had intended. The hon. Member for Cork had taken great interest in the subject, and he might observe that that hon. Member had given Notice that he meant to call attention to it during the present Session; and he would further submit that it was not usual or expedient, on a Vote to provide for the expenses of a public Department, to raise questions of administration which the Government was not competent to vary, and which the Committee could not enter into with advantage. He only referred to what he proposed at the time to show that he had been anxious to prevent cases of hardship arising under removal. They did not occur, however, so often as was supposed; and when they did occur, whatever could be done to mitigate them was done. It was impossible, however, by means of general enactments, to modify the law of removal, without introducing difficulties and injustice on the other side, which could not be obviated. He could assure hon. Members that he had every desire that these removals should be as few as possible; and, as far as he could, he had endeavoured to accomplish that object in the way best calculated to mitigate the evil. The law was, however, a weapon in the hands of local authorities to guard against abuse, and in that way afforded a great security to the public. He should be very glad, some of these days, to endeavour to make further improvement in the matter when it was before them.

MR. PARNELL observed, that his attention had been most attracted by the right hon. Gentleman saying that the Irish Members had agreed to, or connived at, a perversion of the Bill introduced some three years ago, and more especially a clause he introduced with a view to prevent the hardships of the removal of Irish paupers. The right hon. Gentleman stated that the hon. Member for Cork County agreed to an alteration of the clause he introduced originally, and that the effect of that alteration, urged on him by the English and Scotch Members, was to render nugatory the intentions he had formed with regard to the removal of Irish paupers. He was sorry the hon. Member for Cork was not in his place, as he thought he would at once repudiate the statement that he had in any way sanctioned the alteration of the clause in question in the direction he had said. That was, in fact, evident from the Motion which stood in his name on the Paper. The right hon. Gentleman had shown, however, that he was actuated by a great desire to improve the condition of affairs; and as the Motion of the hon. Member for Cork County was to come before them shortly, when they would have an opportunity of hearing the views of the President of the Local Government Board at greater length with respect to this question, he did not desire any further to forestall the discussion that must take place on that occasion, and he should ask leave to withdraw his Amendment.

Motion, by leave, *withdrawn.*

MR. J. W. BARCLAY next called attention to a foot-note at page 110 of the Estimates, to the effect that the Poor Law Auditors derived additional remuneration from the local rates for auditing the accounts of school boards and other local authorities. The hon. Member said, he did not object to those officers doing that work in their own time; but he thought it was another thing for the House to recognize, that those officers were doing that work. They were travelling over the country, and he did not think there could be any adequate supervision of their work. He could not but think that their doing this other work must be some hindrance to the proper control which the Department should exercise over the Inspectors. He wished to draw the attention of the Committee to the undesirability of recognizing the fact that these public officials were doing private work in their own time; because he did not see where it was to stop. This doing private work, in addition to their official duties, and the House recognizing that they did so, must, as it seemed to him, be some hindrance to discipline.

MR. WHEELHOUSE said, that as he understood this particular arrangement, it was made some years ago at the request of the House itself; and he thought that, if they would only consider the great advantage which would arise out of it, and had undoubtedly arisen out of it, they would see no reason to find fault with the way in which those accounts were presented to them. He must not be told that the time of these officials was fully occupied by their auditing of the Poor Law accounts; and he could say, from his own experience, in West Yorkshire, in Lancashire, and in Cheshire, where the time of the Poor Law officials was as fully occupied as it was anywhere, they still had time at their disposal for other work. And, if there was one class of men more fitted for this work than another, it was that class who for years had been engaged in auditing the Poor Law accounts. The same kind of calculations necessarily occurred in each district; and when they found that Parliament, in its wisdom, made this arrangement, that the Government acceded to it, that it was an arrangement that was wished for, and that those who did the work were those best fitted for it, he really did not see what more was to be desired.

Mr. MELLOR thought that, looking at the growing expenses of the Audit Deartment ever since these gentlemen were engaged in auditing the accounts of Poor Law Unions and other local bodies, no consideration should be paid them for auditing the accounts of school boards, or in computing their pensions on retirement.

Mr. SCLATER-BOOTH explained that the salaries paid to the Poor Law auditors were according to their duties. The arrangement had been found convenient; but he agreed that it was very desirable—and he hoped in another Session to be able to accomplish it—to place the system of audit on a more satisfactory basis. It was not satisfactory that officers of the Government should supplement their salaries by means of fees.

Mr. BRISTOWE said, he observed that £1,170 was allowed for clerks to assist the auditors. In his opinion, it was much better that the responsibility should rest with the auditors. A large sum was paid for clerical assistance, and that assistance was not responsible. If the money were applied in getting an increased number of auditors, they would have, also, responsible officers for the money. There might be some technical reasons with which he was not acquainted for the plan at present adopted; but, otherwise, he thought it better that the Government should obtain a larger number of responsible officers.

Mr. SCLATER-BOOTH reminded the hon. Member that £1,170 was not a large sum to pay for those clerks, and many of the auditors did not require them.

Mr. WHITWELL said, he desired to ask three Questions of the right hon. Gentleman. The first had reference to experimental investigations in Medical Science—£3,000 was voted for that purpose last year—and he wished to ask whether the Report of the gentlemen who spent the money would be laid before Parliament? His second Question was this—great attention was now given to vaccination. It seemed that £3,000 was voted for it last year, and £3,000 more was to be voted under the Vote now before the Committee, for lymph, ivory points, &c. He wished to ask whether care was taken to obtain the lymph from the best sources, whether from England or from abroad, and whether the Government had any difficulty in procuring it? He thought it would be satisfactory to the country to be informed on those points. His third Question was of a very different character, having reference to the Inspectors of Roads in South Wales, for which they were still paying £300 a-year. He hoped the people of South Wales were now able to inspect their own roads, and he thought they could do so very well; and, as Rebecca had been long ago forgotten, he thought they should have the pleasure and gratification of inspecting them.

Mr. BIGGAR thoroughly agreed with the right hon. Gentleman (Mr. Sclater-Booth), that it was of the utmost importance that school boards and local boards generally should have their accounts checked by the best auditors; and he would be disposed to agree that those who performed the duty in connection with the Poor Law were the best men available for the purpose. At the same time, the point raised in connection with the present Vote was this—that the gentlemen who now occupied the position of auditors for the Poor Law Board, who travelled from place to place in that capacity, and who were in receipt of a fixed salary, also received payments from local authorities for services performed during the time they ought to be working for that Board. [Mr. Sclater-Booth: No.] He begged the right hon. Gentleman's pardon; but he maintained that he had been speaking correctly. In the case of those who were employed in the Government Offices, the Public Service did not suffer if they were engaged in other work after official hours; but the case of the Poor Law auditors was entirely different. Those gentlemen had no specified time during which they were bound to work, and all that they really did was to see that certain things were done strictly in accordance with law. But if a Poor Law auditor were occupying his time in connection, for instance, with the school boards of the Corporation of Birmingham, it was obvious that he could not at the same time be engaged upon that for which he received a salary from Government. If the hon. Member for Forfarshire (Mr. J. W. Barclay) had not moved to reduce the Vote, he hoped he would do so; and, if he did so, he would follow him into the same Lobby. There could be no more immoral principle than for officials who received fixed salaries—and not only fixed salaries, but liberal salaries—to occupy a great part of their time with other duties for which they were paid in fees.

Mr. J. W. BARCLAY should like to hear from the right hon. Gentleman whether the Poor Law auditors were Civil servants or outside professional gentlemen, who undertook to audit a certain number of Poor Law accounts for a certain sum annually.

Mr. SCLATER-BOOTH said, the Poor Law auditors were Civil servants, who were required to devote their time, as far as was necessary, to the Public Service. The practice was that each auditor had a district assigned to him, and went on circuit twice a year—at Michaelmas and Lady Day—when the accounts were made up. The time required for the discharge of an auditor's duty under the Poor Law would, as a rule, be from four to five months. Parliament itself had imposed on the auditors certain further obligations; and, in virtue of these obligations, the officers referred to also audited the school board and local board accounts in the districts to which they belonged. No salary had been fixed in the latter case; and for the present the auditors were allowed to accept fees, which, of course, could not be paid into the Exchequer unless corresponding sums were allowed in the shape of salaries. He hoped that by-and-bye the whole of the remuneration would be paid by way of salary; and no persons would be better pleased with that than the auditors themselves; because they experienced at present, in many cases, great difficulty in recovering fees from school boards. With regard to the supply of lymph for the purposes of vaccination, it was essential to satisfy the public mind that the lymph furnished to the vaccinators was of the best possible quality; and he had to state that the whole of the public vaccinators came to the Local Government Board for the lymph which they needed for the purpose of the primary vaccination which the law required, but not for re-vaccination, or for the vaccination of the general public. The whole of the lymph sent out from the Office for the purpose of primary vaccination was subjected to a most minute microscopical examination; and, wherever the slightest impurity was discovered, the matter was at once rejected. Complaints had sometimes been made by private practitioners that there was a difficulty in obtaining supplies of lymph; but it ought to be recollected that it was not the duty of the Establishment to furnish lymph for all classes of the community. The hon. Gentleman (Mr. Whitwell) had referred to experimental investigations in Medical Science, for which £2,000 had been voted last year, and had asked whether the Report made by the gentlemen who expended that money was to be laid before Parliament? There would, in due course, be presented to the House a Report of the transactions which had taken place, under that Vote.

Mr. GRAY complained, that while a sum of £13,000 was expended for Medical Inspectors in England, no such sum was expended in Ireland. In England, if any infectious disease broke out, one of those gentlemen was immediately sent down to make inquiry on the subject. The result was made public, and general attention was at once directed to the matter; but in Ireland there was no such Department of Medical Inquiry. The result was that sanitary matters were very much worse in Ireland than they were in England.

Mr. SCLATER-BOOTH said, he had accidentally omitted to answer the third Question which had been put to him by the hon. Member for Kendal (Mr. Whitwell). He referred to the inspection and management of the roads in South Wales. He believed that the existing system in South Wales answered very well; and he should only propose a repeal of the existing Act when a better Road Measure could be proposed for the country generally.

Mr. DODSON asked, whether, in the event of the existing South Wales Act being repealed, the Inspector appointed under it would be entitled to compensation for the loss of his office?

Mr. MACDONALD said, there were two items of the accounts on which he should like an explanation. In the one case there had been an addition of £4,000, and in the other an addition of £5,000. No one was more desirous than he was that energetic sanitary efforts should be made to preserve the health of the people; but he thought the Committee was entitled to know whether the increase which had taken place in the expenditure was an increase in the salaries of those who were last year acting as Inspectors, or whether it was owing to the number of the officers having been increased? He also thought that some explanation ought to be given as to the large amount of travelling expenses which appeared in the Estimates.

Mr. BRISTOWE said, he observed that in the Engineers' Department there had been an Assistant Inspector appointed at a salary of £400 a-year. He should like to know why this additional expense had been incurred under that head?

Mr. O'DONNELL said, he should like to be informed as to what were the duties of the junior Legal Assistants. He thought that the salaries paid to those gentlemen were rather too high for persons who were not barristers.

Mr. SCLATER-BOOTH, replying to the Questions which had just been addressed to him, said, that with regard to the point as to whether there would be any claim for compensation if the office of Inspector under the South Wales Act were abolished, he did not think there could be any such claim; but, if there were, it must be a small one. As to the salaries of the Medical Officers of Health, and the question of travelling expenses, it was quite obvious that these salaries and expenses must vary from time to time. Last year an Estimate had been taken for the former service, which had been found to be rather short. The whole of the travelling expenses were most carefully watched, and a separate account was rendered by every Inspecter on his return from his different journeys. An effort had been made to commute these travelling expenses for a fixed amount; but this had never been found to work satisfactorily. The expenses, no doubt, amounted to a large sum; but what would be the use of an Inspector, if he was not to be travelling in discharge of the duties which were assigned to him? As to the Question of the hon. Member for Newark (Mr. Bristowe), the appointment of an Assistant Inspector to Mr. Rawlinson had been found to be absolutely necessary on the Rivers Pollution Act coming into operation; and, with regard to the junior Legal Assistants, the appointment of these gentlemen had been made by the late Government, and was found to be necessary in consequence of the enormous mass of legal business which had to be dealt with. So far from the legal strength of the Local Government Office being in excess of what was required, he sometimes thought that further strength was needed. Hon. Gentlemen who were acquainted with the administration of that Office must be aware of what an immense mass of legal subject-matter there was to be disposed of, and how important it was that accurate information should be at the disposal not only of the Office itself, but of the numberless persons who came from various quarters seeking advice and assistance. He believed that there were no salaries better earned, or smaller in proportion to the services rendered, than the salaries of the Legal Assistants.

Mr. H. SAMUELSON said, the total amount for travelling expenses in connection with the Department was £16,344. That was a very large sum, and a great deal of travelling must have been done with it.

Mr. RAMSAY, with reference to an item of £35,000 for the salaries of teachers in workhouse schools, said, he thought there should be a corresponding grant in favour of the education of the poor in Scotland, where there was much difficulty in providing for the education of the children of parents who might not be thought by the Parochial Board so poor as to render it necessary that the education of their children should be paid for from the rates. He hoped that when the Education (Scotland) Bill was before the House, the Chancellor of the Exchequer would be prepared to insert a provision making a corresponding grant in aid of education in Scotland. The Boards of Guardians in Scotland were in the habit of refusing to pay the children's fees from the rates, although the law said they might do so. If £7,000 or £8,000 were distributed for that purpose in Scotland, it would be most beneficial;

and, so long as money was so given in all other parts of the United Kingdom, he thought Scotland was entitled to claim the same consideration from the House. It would be a step in the right direction. He agreed with a remark which had been made—that, instead of providing for the perpetuation of workhouse schools, it would be better to educate the children in the schools most convenient for them, the Guardians, of course, retaining their guardianship over the children. He felt sure that if this amount of assistance were given to education in Scotland from Imperial Funds, the State would, in the long run, be the gainer.

Mr. SCLATER-BOOTH pointed out to the hon. Member who had last spoken, that the only amount granted, or proposed to be granted, under the Vote now being considered, was to apply to children in workhouse schools, who were necessarily inmates of the workhouses, and who had to be maintained, as well as educated, out of the rates and under the management of the Poor Law Guardians. It had been found convenient to have a certain number of Inspectors appointed in view of this state of things.

Mr. RAMSAY thought there could be no mistake on the point. In the Estimate a certain sum was set apart for the payment of Poor Law School Teachers, and there was no corresponding grant for Scotland; which was the very thing of which he complained on behalf of the Scottish poor. In Scotland, the Poor Law Guardians refused to make any grants in aid of the children of the poor, unless the parents were so poor as to be virtually paupers. In England, grants in aid were made from the Imperial Funds. All he asked was that Scotland might receive grants similar to those given to England and Ireland. The amount asked for was small; but, if granted, it would remove a sense of wrong which was strongly felt.

Sir WALTER B. BARTTELOT wished to say a few words in reference to workhouse schools, the education given in which could not be compared with that given in other elementary schools set apart for the children of the poor. He had, on former occasions, called the attention of his right hon. Friend to this point; because he thought it monstrous that if the State educated the children of the poorer classes, an inferior education should be given to those who had the misfortune to be the occupants of workhouse schools. In most of the workhouse schools the class of education given was inferior, owing mainly to the inferiority of the teachers, to that afforded in public elementary schools; and, in other respects, with which he would not then detain the Committee, the system pursued was far inferior. He commended this matter to the further consideration of his right hon. Friend, who, he believed, had already some intention of dealing with it, if they might judge from a provision which he had inserted in the County Boards Bill with reference to schools in workhouses. It would be well, in the case of workhouses where the number of children was small, to educate them in schools outside the workhouses, so as during a short, but highly important, part of their lives, to remove them from direct contact with workhouse life and its influences. Pauper children were necessarily poor helpless creatures, and those who had charge of them were bound to see that the best possible course should be taken to arm them for the battle of life when they left the workhouses. At present, he feared it was too much the custom of the Guardians to get the education of pauper children seen to at the lowest possible rate, with results which no one of right feeling could possibly approve.

Mr. SCLATER - BOOTH said, he understood that in Scotland no obligation was laid on the workhouse or parochial authorities to provide schools for the children; and it was in face of that fact that the grants were made in England and Ireland where demands of the kind were made. With regard to what had fallen from his hon. and gallant Friend behind him (Sir Walter B. Barttelot), he was bound to admit that in many workhouses the education of the children was, of necessity, inferior to that given in the public elementary schools; but he could not admit that the observation or the admission were of universal application. On the contrary, it was not unfrequently complained that children in workhouse schools were over educated as compared with those in the public elementary schools. In those workhouses where the number of children was small, it was difficult, almost to impossibility, to keep up a thoroughly efficient school system; and, in those cases, there was a growing disposition on the part of the Poor Law Guardians to send the children to the parish schools, though it must be remembered that the Guardians were not only responsible for the education of the children, but also for the care and maintenance of them out of school hours. This made the subject one not very easy to be dealt with; but, at the same time, he was free to admit the importance of encouraging the creation of district schools, and it was with regard to that fact that he introduced into the County Boards Bill a clause to enable the county authorities to provide such schools for workhouse children.

Mr. RAMSAY said, there was no obligation in Scotland upon the parish authorities to provide schools within the workhouses for the education of the children; but they had to educate such children as came under their care, and this they did by sending them to the common public schools. He quite agreed with the hon. and gallant Gentleman the Member for West Sussex (Sir Walter B. Barttelot), that this was a plan preferable to that of educating the children within the walls of the workhouses, in that it could not fail to exercise an elevating effect upon them. The fact that this step was in contemplation was an argument in favour of his contention that Scotland was as well entitled to receive grants in aid of the education of pauper children as either England or Ireland. He hoped the Government would insist upon the parochial authorities seeing carefully to the education of the children.

Mr. MACDONALD thought the confession contained in the speech of the right hon. Gentleman the President of the Local Government Board was the most satisfactory, and, at the same time, the most painful, explanation that could have been offered of a state of things which everyone must deplore. He knew, from personal inquiry and observations, that certain occupations were at the present moment being flooded with children from workhouse schools who were almost useless, from the poor education they had received, as compared with children who had passed through the public elementary schools. He sincerely hoped the right hon. Gentleman would proceed in the direction he had indicated, and raise the standard of the education given to children who had the misfortune to belong to the pauper class.

Mr. O'CONNOR POWER said, he should be glad to know the ages at which boys and girls in workhouses were taken out of the schools and put to work? There were farms attached to many workhouses, and it often happened that the boys were sent out to work in the fields at a very tender age. The results mentioned by the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot) and the hon. Member for Stafford (Mr. Macdonald) might arise from the fact that the children in workhouses were not allowed to be at school for so long a time as the children in public elementary schools, and were not due to the inferiority of the education given.

Mr. PARNELL wished, before the hon. Gentleman the Secretary to the Treasury replied, to say a word or two on the question of vaccination—a question with regard to which it appeared to him that neither the right hon. Gentleman the President of the Local Government Board nor the Medical Profession had, as yet, realized their position. He had often thought that much of the agitation got up against vaccination was due to the neglect, on the part of the Government authorities and the Medical Profession, to procure pure lymph for use in vaccination; and he was sorry that the right hon. Gentleman had given no indication that he had as yet come to view the question in its proper light. Last Session the right hon. Gentleman said he was directing his attention to the question of vaccinating with lymph taken direct from the calf; but, on the present occasion, he had said no single word as to the progress he had made in his examination of the subject. He had told the Committee something about microscopical examinations of lymph, having probably, although he did not say so, given up the question of the calf as unsatisfactory; but he feared that any microscopical examination would be equally useless with the inquiry which the right hon. Gentleman set himself to make a few years ago, and the result of his investigations generally into the question of vaccination. He (Mr. Parnell) knew but little on the subject; but he believed that small-pox was propagated from the human subject, and that neither microscopical examination nor chemical analysis could prove clearly whether lymph contained, or did not contain, any of the germs of disease which anti-vaccinators ascribed to it. The only way of getting a pure lymph, was by seeing that its original source had not been contaminated in any way during the progress of the lymph through its various stages and changes, and through the bodies of the persons upon whom it had been used. He did not know whether this could be done; but, if it could not, vaccination, to his mind, stood condemned, notwithstanding the number of benefits that might be said to have been derived from it.

MR. O'DONNELL said, he had no doubt that, under the present system of compulsory vaccination, an immense amount of disease might be propagated by means of lymph that was apparently pure. Only a few weeks ago, the *Allgermeine Zeitung*, a newspaper published in Augsburg, published an account of a very remarkable case, which was tried in the Law Courts, as a result of the use of diseased lymph. The facts were, that about a year and a-half ago, some 18 school children were vaccinated by a public vaccinator in the ordinary manner, with lymph taken from an apparently healthy child. The result was, that every one of the children was attacked by a most deplorable disease, and were left in most wretched case. Various attempts were made to have the matter thoroughly investigated, but without success, and the parents at length brought an action against the public vaccinator. The trial took place, and resulted in an acquittal, on the ground that the lymph might be diseased without the public vaccinator being able to detect the fact. He, therefore, hoped the Government would pay more attention to this question than they appeared to have given up to the present; and, if possible, to see that only lymph taken direct from the cow or the calf should be used.

Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow;*

Committee to sit again *To-morrow.*

CUSTOMS AND INLAND REVENUE BILL.

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson.*)

[BILL 146.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Raikes.*)

MR. RITCHIE rose for the purpose of moving that the Order for the third reading be discharged, and that the Bill be re-committed, in order to amend it, so as to establish a difference of 2*s.* per lb. between the duty on unmanufactured tobacco and cigars, instead of 1*s.* 10*d.* as provided by the Bill. He regretted that he was obliged to trouble the House again on this question, as he had already had opportunities of raising a discussion upon it on two previous occasions. When he brought the question under the notice of the House before, he had hoped that the Chancellor of the Exchequer would be influenced by the representations he made on the subject. But, although he must thank the Chancellor of the Exchequer for the courteous manner in which he had invariably received his representations, yet he regretted to find that the right hon. Gentleman had not yielded to his appeal. If he had had the opportunity, on previous occasions, of taking the opinion of the House on the subject, he should not have thought himself at liberty again to trouble the House with it; but, in consequence of a private Member not being able to move any Resolution which would have the effect of increasing taxation, he had hitherto been unable to take the opinion of the House. This Amendment, however, was drawn up in such a way as to enable him to do so, and he would endeavour to lay his arguments as clearly as possible before the House. In the year 1863 a re-settlement of the tobacco and cigar duties was made by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), who, after full inquiry, established a difference in the duties on unmanufactured tobacco and cigars. The relative duties which he introduced, were 3*s.* 1⅘*d.* on unmanufactured tobacco and 5*s.* on cigars, leaving a margin between the two duties of 1*s.* 10⅕*d.* The proposal made by the present Bill was that 4⅕*d.* should be added to the duty on unmanufactured tobacco, and that 4*d.* should be added to the duty on cigars. Thus, the duties would be respectively, 3*s.* 6*d.* on unmanufactured tobacco and 5*s.* 4*d.* on cigars, leaving a margin of 1*s.* 10*d.*—the margin which was deemed sufficient under the plan of the right hon. Gentleman the Member for Greenwich. But what was a sufficient margin on 3*s.* 1⅘*d.* and 5*s.*, was obviously not sufficient when the duties were raised to 3*s.* 6*d.* and 5*s.* 4*d.* The exact ratio, to correspond with the increase of duty, was 3*s.* 6*d.* and 5*s.* 6*d.*, as proposed by his Amendment. If that Amendment were carried, then it would be the duty of the Government to increase in Committee the duty on cigars by 2*d.*, leaving the duty on unmanufactured tobacco the same as they now proposed. He was afraid it would be necessary for him to trouble the House at some length, because this would be the last opportunity he should have of presenting his case; and it was also, he regretted to say, a matter of figures to some extent. He understood that the position taken up by the Chancellor of the Exchequer on this matter was that he had no desire to interfere with the basis fixed by the right hon. Gentleman the Member for Greenwich in 1863; that on that basis the manufacturers of cigars were only prejudiced to the extent of about one-third of 1*d.* per lb. by the proposal of the Government; and that the stalks were now worth 4*d.* per lb. more than they were in 1863, which would more than compensate the manufacturers for the loss they sustained in other respects. As to the basis of 1863, the Chancellor of the Exchequer had himself stated in the House that the calculations of the right hon. Member for Greenwich were very carefully made. They were discussed at great length, not only in that House, but in all parts of the country. The right hon. Gentleman the Chancellor of the Exchequer said he accepted the basis established in 1863. Well, he (Mr. Ritchie) was also prepared to accept and to argue upon that basis. He maintained that that basis ought not to be disturbed, until after full inquiry by some tribunal which would hear all the parties who were interested in this matter. He was not surprised that the Chancellor of the Exchequer proposed to rest his case on the basis of 1863; because, if the right hon. Gentleman had done otherwise, he should have been able to quote from a speech delivered by him in 1863, and show that even at that period the right hon. Gentleman objected to the settlement which was then made, because sufficient inquiry had not been instituted; and, if he was not mistaken, the right hon. Gentleman voted for the proposal brought forward by Mr. Ayrton, to the effect that before the duties were fixed, the subject should be investigated by a Committee of that House. The cigar-making trade now courted such an inquiry, because they believed they would be able to show that the settlement of 1863 was not in their favour, but against them, and too much in favour of the foreign importers. Whatever might be the result of the division which he should take that night on his Amendment, he would suggest to the Chancellor of the Exchequer that a Committee of the House should, before the next Budget, inquire into the subject, and see whether the basis fixed in 1863 was satisfactory or not. It was desirable for him to point out that, in the opinion of many people, in 1863, the basis then established was one which told against the manufacturers of cigars in this country. From the report in *Hansard*, he found that, in a discussion in that House, Mr. Ayrton said—

> "He accepted the principle that there was to be a duty equivalent to that imposed upon the imported article, and that there was to be a surcharge by way of compensation for the increased expense put upon the English manufacturer by reason of his working a highly-taxed commodity under a most oppressive system of combined Customs and Excise; but he denied that the application of that principle in the present instance was either just or honest towards the English manufacturer and English workman."—[3 *Hansard*, clxix. 1613.]

The hon. and learned Member for Sheffield (Mr. Roebuck) also said—

> "In this town 10,000 persons were employed in making cigars, and he was told that the effect of the plan of the right hon. Gentleman would be to bring the home maker of cigars into unfair competition with the foreign maker, as the former worked with an article paying a very high duty, while the latter worked with an article which paid no duty at all."—[3 *Hansard*, clxix. 954.]

He would now adduce a still higher authority. The right hon. Gentleman the present Chancellor of the Exchequer said, in the course of the same debate—

> "If the reduction (so as to allow of foreign cigars entering into competition with English) went too far, they might be injuring the English manufacturer, without benefiting, but rather injuring, the Revenue."

And the right hon. Gentleman went on to say—

> "The Chancellor of the Exchequer had told them that it was necessary to make a distinction between the manufactured and the unmanufactured article, in order to place the British producers on a fair footing with foreigners; but the question whether the protection given was adequate could not be discussed properly in a Committee of the Whole House without further inquiry."—[*Ibid.* 985.]

He thought these quotations showed generally, that there was some ground for doubting whether the settlement which took place at that time was sufficiently favourable to the English manufacturer to enable him to compete in our own market with the foreign manufacturer. He might also point out, that from the other point of view the settlement had certainly secured one of the desired results, inasmuch as it had enabled German manufacturers to send their cigars into this country, and to compete with the English manufacturers. Before 1863 there was no importation of German cigars at all; but, since 1870, the following were the figures:—573 cases were imported in 1870; 1,060 in 1871; 1,555 in 1872; 1,969 in 1873; 1,986 in 1874; 2,381 in 1875; 2,980 in 1876; and 3,118 cases in 1877. All these importations were from Germany. It was evident, therefore, that if one of the objects of fixing the ratio of these duties in 1863 was to secure competition in our markets, and enable foreign manufacturers to sell their cigars here, that end had been attained. They ought, surely, to take very great care, in putting any additional duty on tobacco, that the condition under which the English manufacturer had been competing with his foreign competitors should not be altered so as to tell more against the English manufacturer than the settlement of 1863 did. He should prove, presently, that although the Chancellor of the Exchequer had expressed a desire not to interfere with the basis of 1863, he did actually propose very seriously to interfere with it, and to interfere with it without a full and proper inquiry—a course which the right hon. Gentleman deprecated so strongly in 1863. The right hon. Gentleman told the House, when this matter was last discussed, that the manufacturer was not more than one-third of a penny worse off than he was before the imposition of the new duty. This was not the first position which had been taken up in the matter by the right hon. Gentleman. The first position taken up by the right hon. Gentleman was, that if they added 4*d.* per lb. all round, the manufacturers would be in exactly the same position as before. But the second position which was taken up now—namely, that the manufacturer was only damaged to the extent of one-third of a penny, was as erroneous as the first contention. What he proposed to do was to take from *Hansard* the exact figures and examples given by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) in 1863, and to compare them with a calculation at the new rate of duty on exactly the same basis. By means of this comparison, he should prove that under the proposed new system the manufacturer would lose not one-third of a penny but 1¾*d.* The right hon. Gentleman the Member for Greenwich, when he imposed this differential duty, said he would illustrate the case of cigars by two examples. He said—

> "He would take the number of pounds of cigars which the manufacturer could make out of 100 lbs. of tobacco, and divide the total amount of duty paid, directly or indirectly, by the number of pounds of cigars made out of the 100 lbs. of tobacco, and that would give the amount of countervailing duty. Now, 100 lbs. of Havannah leaf, of a somewhat dry quality, yielded 17 lbs. of stalks, which, though not worth anything for entering into cigars, would sell for 2*s.* 4*d.* a-lb. in the market. There would be 14 lbs. of refuse and moisture from such an amount of this tobacco. Deducting 17 lbs. of stalk and 14 lbs. of refuse, or 31 lbs., from 100 lbs., there would remain 69 lbs. of cigars to be got from 100 lbs. of tobacco. Now, the duty paid, including the allowance for interest on the duty between the time when the article was imported and the time when the duty was received back from the consumer, and other contingencies, was £16 1*s.* 9*d.*, deducting from that the sum of £1 19*s.* 8*d.*, the value of 17 lbs. of stalks, there remained £14 2*s.* 1*d.* Dividing this by 69 lbs. of cigars, it would be found to represent a payment in duty of something like 4*s.* 1*d.* per lb. He proposed to allow 5*s.*, in order that the labourers who were employed, in the manufacture, amongst whom were women and children, might be well looked after."—[3 *Hansard*, clxix. 1619.]

This left a margin of 11*d.* per lb. Following precisely the same lines, he (Mr. Ritchie) would now state the result of the calculation at the new scale of duty. The duty paid, including allowance for interest, on 100 lbs. of tobacco, would be £17 17*s.* 6*d.* Deduct from that the sum of £2 5*s.* 4*d.*, the value of 17 lbs. of stalks at the increased rate of duty, and there remained £15 12*s.* 2*d.* Dividing this by 69 lbs. of cigars, it would be found to represent a payment in duty of something like 4*s.* 6¼*d.* The proposed new duty on cigars was 5*s.* 4*d.*, thus leaving a margin to the manufacturer of 9¾*d.*, instead of 11*d.* per lb. under the old rate of duty; or a disadvantage, as compared with the previous settlement—which the Chancellor of the Exchequer said he had no desire to disturb—of 1¼*d.* per lb. on this comparatively dry tobacco. Let them now take the other example given by the right hon. Gentleman (Mr. Gladstone) in 1863—

> "He would now take the extreme example of Havannah tobacco. This might be stated to contain about 23 per cent of moisture. . . . 100 lbs. of this leaf contained 23 lbs. of moisture, 18 lbs. of stalks, and 2 lbs. of refuse, smalls, and waste. It followed that there were 43 lbs. to be deducted from the 100 lbs., which left 57 lbs. of cigars to be got out of the 100 lbs. But then the 18 lbs. of stalks sold for 2*s.* 4*d.* the lb.; and, making the calculation and allowances as before, the result showed that the duty which the manufacturer paid on 57 lbs. of cigars was £13 19*s.* 9*d.*, or 4*s.* 10⅞*d.*, or say, in round numbers, 4*s.* 11*d.* per lb."—[*Ibid.* 1620-1.]

The result of the calculation on the new basis was as follows:—The duty paid, including allowance for interest, would be £17 17*s.* 6*d.* Deduct the 18 lbs. of stalks at increased duty, £2 8*s.*, and there remained £15 9*s.* 6*d.* Divide this by the product of cigars—57 lbs.—and it would be found to represent a payment in duty of something like 5*s.* 5⅛*d.* The proposed new duty on cigars was 5*s.* 4*d.*; thus, on this example, there would be a balance against the manufacturer of 1⅛*d.* per lb., instead of in his favour, under the old system, of 1⅛*d.* per lb.—being, in comparison with the old system, a difference of 2¼*d.* per lb. against the manufacturer. Thus, on the first example, he lost 1¼*d.* per lb., and on the second example, 2¼*d.*, or an average of 1¾*d.* Now, his Amendment proposed to establish a difference in the duty between unmanufactured tobacco and cigars of 2*s.* per lb. instead of 1*s.* 10*d.* as proposed by the Bill, an increase of 2*d.*, which would just about place the manufacturers on the same footing as they were under the old system. He would, in half-a-dozen words, state another mode of calculation which he thought hon. Members would understand. The moisture stated by the right hon. Gentleman the Member for Greenwich to be in 100 lbs. of leaf was 14 lbs. on one example, and 23 lbs. on the other, or an average of 19½ lbs. The product of cigars was 69 lbs. on one example, and 57 lbs. on the other, or an average of 63 lbs. The manufacturer would now have to pay a duty of 4*d.* per lb. on the moisture, which on 19½ lbs. would give a loss of 6*s.* 6*d.* In addition, there was the initial loss of one-fifth of a penny on 100 lbs. of leaf, which came to 1*s.* 8*d.*, and there was the loss of interest on duty, which came to 9*d.*, making altogether 8*s.* 11*d.* Dividing that by the average product of cigars, it would be found to give exactly 1¾*d.*, which the manufacturer would be to the bad. He thought he had shown that his calculation was the correct one, and that the Chancellor of the Exchequer, in his calculation of one-third of a penny, must necessarily be wrong. He could clearly see where the right hon. Gentleman had made the mistake. He had omitted, in his calculation, to take account of any loss arising to the tobacco manufacturers from having to pay duty on moisture. The cigar importer only paid duty upon the dry cigars and not upon any moisture, whereas the tobacco importer paid duty upon the moisture. When the right hon. Gentleman made the admission that the manufacturer might be prejudiced to the extent of a third of a penny, he said—"Oh, but the stalks have risen in value since 1863 to the extent of 4*d.* per lb., and that will more than compensate the manufacturer for the loss." He would show that the right hon. Gentleman, or rather he presumed the Customs' authorities, who had supplied him with his figures, were also wrong in saying that the stalks had increased in value. But, even if it were otherwise, he should still maintain that what was now proposed was to interfere with the settlement of 1863, and to do the very thing which the Chancellor of the Exchequer professed he had no wish to do, and that without proper inquiry.

With respect to the question of stalks, he would ask the right hon. Gentleman whether he thought that this duty ought to fluctuate with the changes in the value of stalks? He should presently show, however, that the ground upon which he based that assertion was not correct. But he wished to make this further observation with reference to stalks—that, seeing that this question about the stalks was not relied upon on either of the two occasions when the matter was brought before the House, or upon the occasion when he had the honour of introducing a deputation to the Chancellor of the Exchequer on the subject, he thought he was justified in saying that it was altogether an afterthought. It was clear, from the remarks of the right hon. Gentleman on the occasion when he was waited upon by the deputation, that he never took the question of stalks into his calculation. He then said—

> "Let us first of all assume that the difference was properly fixed in the year 1863. Why should there be, if it was properly fixed, any additional hardship upon the English manufacturer of cigars from adding 4*d*. all round? Then, of course, comes the other question, whether it was properly fixed at that time, which is a question always open to be raised, but one which I did not expect would be raised."

Mr. Freeman, a member of the deputation, remarked "that 4*d*. added to 3*s*. 2*d*. was a larger percentage than added to 5*s*." The Chancellor of the Exchequer then said—

> "If the difference in cost between making the cigar in England and the cost of the cigar as imported is 1*s*. 10*d*., supposing you raise the duty to 4*d*. on cigars, you get the 1*s*. 10*d*. difference."

That, the House would now see, was an entire fallacy; but he had quoted it to show that certainly the element of stalks did not enter into the right hon. Gentleman's mind at that time, and that he was under the impression that the addition of 4*d*. all round would leave the manufacturer in the same position as he was before. He had now shown that the calculation of the right hon. Gentleman was wrong, so far as the third of a penny was concerned, and he would also show that he was mistaken as to the value of the stalks. He was inclined to agree with the opinion which the right hon. Gentleman himself expressed in 1863, that the calculations of the Customs and Excise were not always to be implicitly relied upon. The right hon. Gentleman, in 1863, was reported to have said—

> "When a mistake in the calculations of the Treasury and Customs on one point was thus admitted, he thought that their conclusions might be fairly challenged on other points. The House was told that the right hon. Gentleman only wished to give fair play to the home manufacturers; but with every wish to do that, he might have made some mistake in the figures, as had been done in the instance he had just mentioned. For these reasons, he thought it desirable that the question should be considered in a Select Committee."—[3 *Hansard*, clxix. 986.]

It would seem that the right hon. Gentleman was now disposed to place more faith in the figures of the Customs and Excise than he was at that time. He had said that the stalks were only worth 2*s*. 4*d*. in 1863, and that they were now quoted in brokers' circulars as worth 2*s*. 8*d*. Now, when he had brought this question before the House on the former occasion, he produced a circular from very large tobacco brokers in the City, showing that the price of stalks in April, 1863, was precisely that quoted in their last circular of April, 1878. Moreover, he had found that the right hon. Gentleman the Member for Greenwich, in 1863, quoted Messrs. Grant, Hodgson and Co., as being his authority for many statements which he made. Now, he happened to have a letter from that firm, in which they stated that—

> "From April, 1863, to the time of the recent alteration of the duties, our quotations for mixed stalks generally ranged between 2*s*. 7*d*. to 2*s*. 8*d*. and 2*s*. 8*d*. to 2*s*. 9*d*. per lb.—the chief exception being in 1871, when, for nine months, our quotations were 2*s*. to 3*s*. per lb. On the 1st April last, the quotations were from 2*s*. 8*d*. to 2*s*. 9*d*. per lb., at which prices they had remained for eight months without change."

In 1863, notwithstanding that the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had information before him that the stalks were quoted in the market at 2*s*. 8*d*., he estimated them, in his calculations, as only being worth 2*s*. 4*d*., and the Chancellor of the Exchequer now, seeing that the stalks were quoted at 2*s*. 8*d*., immediately jumped to the conclusion that they had risen in price; but he (Mr. Ritchie) thought he had successfully shown that that was not the case. The question was why the right hon. Gentleman the Member for Greenwich took the stalks as worth 2*s.* 4*d.* if they were worth 2*s.* 8*d.* in the market? It was impossible for anyone to say what was present in the mind of the right hon. Gentleman the Member for Greenwich; but he (Mr. Ritchie) had no doubt whatever that the right hon. Gentleman had very good grounds for estimating the value at 2*s.* 4*d.*, although that did not apply to all the statements the right hon. Gentleman made. Seeing that the right hon. Gentleman was in correspondence with large brokers in London, and seeing that the question was discussed all over the country, there was no doubt that he had very good reason for making the margin of 4*d.* per lb. upon the price of stalks, as quoted in the market. There was one thing which might have induced the right hon. Gentleman to make that difference. There was an article of refuse in the manufacture of cigars called "shorts," and the right hon. Gentleman made no allowance whatever in his calculations for these. Therefore, he (Mr. Ritchie) was led to suppose that he might have had that in his mind when he made the difference in the price of stalks compared with the market price of the day. At any rate, it was no part of his duty to prove that the right hon. Gentleman's calculations in 1863 were correct. If he (Mr. Ritchie) proved—and he contended he had—that there had been no advance whatever in the price of stalks since the calculations made in 1863, he maintained that no difference should now be made in any of those calculations without full and proper inquiry—an inquiry where all interested could represent their case. The right hon. Gentleman the Chancellor of the Exchequer, in the Bill before the House, proposed to alter the position of the English manufacturers of cigars—a position occupied by them for many years—to the extent, at least, of 1¾*d.* per lb.; and, that being so, he would be giving the foreigner an advantage to that extent over the home manufacturer. The last time the question was before the House, the Chancellor of the Exchequer proposed to make a concession to the English manufacturer. There was a portion of refuse in the manufacture of cigars on which "drawback" was allowed; but this question of drawback could not be entertained, unless the stuff was exported. The consequence was that this stuff had to be exported to the Channel Islands, or to Hamburg, and destroyed, in order to get this drawback, and a cost of about 30*s.* a-ton had to be incurred for exporting. The Chancellor of the Exchequer now proposed to relieve the manufacturers to that extent, by destroying the stuff at the Custom House free of charge; but that relief was infinitesimal. This subject was one on which he (Mr. Ritchie) felt he could appeal to both sides of the House. It was not a question of Party, but simply one of justice to the home manufacturers—whether they were to be loaded with additional duties to the extent of 2*d.* per lb., as compared with the Continental manufacturer, and thereby imperil their large trade. All that was claimed was that the settlement of 1863 should not be disturbed, or certainly not without a full and fair inquiry. What the Government proposed was to disturb the settlement of 1863, not in favour of the public, but in favour of the foreigner. When the matter was last before the House, and when every hon. Gentleman who spoke, with one exception, strongly advised the Chancellor of the Exchequer to yield the proposition which he (Mr. Ritchie) made, the right hon. Gentleman said that no doubt hon. Members had been in correspondence with their constituents, and that in some cases it was a constituents' question; but the Government had the consumer to consider in the matter. So far as constituents were concerned, he (Mr. Ritchie) acknowledged it was his duty, in any case where his constituents were injured, if their complaint was founded on justice, to bring the subject before the House. At the same time, he must say, however strongly he might be urged to represent a constituents' grievance, he would not do so if the proposals would be unfavourable to the country generally. The hon. Member for Hackney (Mr. Fawcett) had also urged the Chancellor of the Exchequer to give way upon this question of tobacco duties; and he was sure the hon. Member, who enjoyed so high a reputation as an admirer of free trade and as an exponent of the true principles of political economy, would not have imperilled that reputation by advocating anything which was in any way of the nature of protective duty in favour of our home manufacturers. But yet, if he were not much mistaken, he believed the hon. Member for Hackney would again be found advocating the cause he (Mr. Ritchie) had brought before the House. The Chancellor of the Exchequer spoke about the consumer. He (Mr. Ritchie) would like to know where he was injured. How was the consumer injured if 6*d.* a-lb. was added to an article worth from 10*s.* to 50*s.* a-lb., when 4*d.* was added to tobacco worth 4*s.* a-lb.? Could they be said to injure the consumer by adding 6*d.* a-lb. to a very expensive article, when they added 4*d.* to tobacco sold at 4*s.* a-lb.? He hoped they would hear nothing more about the consumers of cigars; but there were consumers of the necessaries of life who, if this trade were destroyed in London, would lose their employment and bread, and those were the consumers for whom he pleaded. He spoke strongly upon this question, because he felt strongly. To his constituents this matter was one of vital importance, because it was a question as to whether the trade should continue in the land or not. They knew in the East End of London the effects likely to be suffered by unfair foreign competition, as already shown in the sugar refining trade. It was but a few short years ago since the East End of London was covered from one end to the other with large sugar refineries, employing many thousands of hands and hundreds of thousands of capital. What had become of that capital, and of those employed in the refineries. The capital had been entirely lost, and employment had been taken from thousands of persons. He trusted the House of Commons would prevent such a result taking place with regard to the tobacco trade, and not allow it to be utterly destroyed, as it might be if the Bill of the Chancellor of the Exchequer passed in its present shape.

MR. SAMUDA seconded the Motion of his hon. Friend and Colleague (Mr. Ritchie), and said the matter was by no means so small a one as it seemed. Under the present Bill, there would be an entire change in the relations of the manufacturers of cigars as to the tobacco duties, compared with the arrangement made in 1863, when the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) so carefully estimated the amount that should regulate the duties on the manufactured and on the raw material; and he would remind the House that the importation of the manufactured article had kept on increasing from that time to this. It had been clearly shown, in the statement of the hon. Gentleman who had just sat down, that the price of stalks had not at all varied since 1863, and this was not extraordinary; for he supposed the only value they possessed at all was that obtained in the shape of drawback. True, the cigars manufactured in England were of an inferior quality to some of foreign importation, and it was a class of cigar which the hon. Members of that House might not care to smoke; yet they must consider the welfare of those persons employed in the manufacture, and be careful that the trade was not injured by the action of the Customs authorities. It was clear that the Chancellor of the Exchequer had been misled—unintentionally misled, he thoroughly believed—as to the effect of this altered duty; and he appealed to him, not only as a gracious, but also as a fair act, to rectify such mistake, which, if adopted, would greatly injure the manufacturers of cigars in England. He knew that the right hon. Gentleman had one reply in reserve, and that was that he intended to change the mode of paying for "drawback." The right hon. Gentleman said, and said truly, that he would decrease the cost which manufacturers were now put to in respect of the drawback, by having the tobacco stalks destroyed at the Custom House, instead of putting them to the expense of sending them abroad. But, by such a process, the manufacturers would only be benefited to the extent of ½*d.* per lb. He hoped the House would be saved from going to a division on the question, and that, having listened to so elaborate and clear a statement from the hon. Gentleman opposite (Mr. Ritchie), hon. Members would accept the carefully-obtained figures he had put before them, showing the radical mistake which existed in supposing that there was now any difference in the value of stalks from that existing in 1863; and that, therefore, the proposals of the Bill now before the House were untenable.

Amendment proposed,

To leave out the words "now read the third time," in order to add the words "re-committed, in order to amend it, so as to establish a difference of two shillings per pound between the Duty on unmanufactured tobacco and cigars, instead of one shilling and ten pence, as provided by the Bill,"—(*Mr. Ritchie,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER said, there was no doubt that this question, though not one of very great magnitude, was one of some complication, and which involved a great deal of arithmetical calculation. His hon. Friend the Member for the Tower Hamlets (Mr. Ritchie) had given, in a very clear form to those who took the trouble to follow him, the calculations upon which he rested his case, and he (the Chancellor of the Exchequer) was bound to say that with regard to nearly the whole of those calculations he had no fault to find. His hon. Friend took the calculations which were made by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) in the year 1863; he took the same figures, and he altered them to apply to the present rate of duty which was proposed under the Bill now before the House, and he derived from that comparison the conclusion that the difference in the duty on the cigars imported from abroad and the cigars manufactured at home would be 1¾*d.* per lb.—that the duties on the home manufactured cigars would be increased by 1¾*d.* in consequence of the changes made. He was not prepared to dispute the fact that he had made out a case; but, on the other hand, he wished to compare the propositions of his right hon. Friend the Member for Greenwich with the actual state of the case as it would stand if the Bill before the House should be adopted as it now stood. His right hon. Friend the Member for Greenwich went through a series of calculations, in order to ascertain at what point he ought to fix the duty on foreign cigars in order to give adequate protection and do justice, and no more than justice, to the manufacturer at home; and he made the calculation in this way—he took certain qualities of tobacco, and he ascertained as best he could what quantity of cigars could be made out of 100 lbs. of tobacco, and what the duty upon 100 lbs. of tobacco was. Then he took the quantity of cigars made out of the 100 lbs. of tobacco on which duty had been paid, and he endeavoured to calculate how much the manufacturer could make out of the residue, calculating the price which he would get either by disposing of the stalks or by the drawback upon the stalks; and, having made that deduction, and then having ascertained what the total amount was which the manufacturer would have paid as the net result for duty on the cigars produced, he divided the result by the number of pounds of cigars which could be made out of 100 lbs. of tobacco, and so he found what the cost of the duty was on 1 lb. of cigars, and he considered what the difference ought to be between that and what was charged. In the first place, the right hon. Gentleman the Member for Greenwich took the case of tobacco which would yield 69 lbs. of cigars for 100 lbs. of tobacco; and he arrived at the conclusion that, after allowing all the duty paid on the 100 lbs., and after deducting the value of the stalks which remained, the charge against the British manufacturer should be 4*s.* 1*d.* per lb.; and then, fixing the charge against the foreigner at 5*s.* per lb., he left the British manufacturer with a difference of 11*d.* in his favour. The right hon. Gentleman considered that an adequate sum to leave, and that it would be sufficient to compensate the British manufacturer for all the loss and all the inconvenience to which he might be put in carrying on his manufacture at home. That was the system upon which the trade had been carried on for the last 15 years, and certainly it had not been injured thereby. His hon. Friend the Member for the Tower Hamlets (Mr. Ritchie) said the measure had produced the result which it was intended to produce, that it had allowed of the importation of a considerable quantity—and an increasing quantity—of foreign-made cigars, and that was perfectly true. But it was also true, that while the foreign cigars had been imported, as it was intended they should be, and as it was desired they should be, in order to provide a healthy competition against the British manufacturer, it was also true that the quantity of unmanufactured tobacco which had been consumed in this country had also largely increased; and there was no evidence whatever to show that the cigar-making business in this country had been a sufferer, or that it had in any sense suffered, in consequence of that change. Well, then, taking the case, and looking at the same quality of tobacco as that which the right hon. Gentleman the Member for Greenwich took into his calculations—the 69 lbs. of cigars made out of 100 lbs. of tobacco—he (the Chancellor of the Exchequer) had endeavoured to estimate what, in the present state of things, as proposed under the Bill before the House, would be the position of the British manufacturer. And by following out that calculation, he arrived at precisely the same result as the right hon. Gentleman the Member for Greenwich intended to arrive at by the settlement which he made in 1863. That was to say, taking the price of the article and deducting the charge recovered for the stalks, he found the difference would be exactly 11*d.* on the pound. What was the explanation of that? because there was undoubtedly a difference between the circumstances which existed in 1863 and what would exist to-morrow, if his Bill passed. The whole thing depended on the difference in the price of the stalks, and that was the point upon which attention must be concentrated. The right hon. Gentleman the Member for Greenwich rested his calculation upon the value of the stalks at 2*s.* 4*d.* per lb.; in the calculation he (the Chancellor of the Exchequer) had made, the value of the stalks—and he ascertained that from the prices of the day — was taken at 3*s.* per lb. His hon. Friend had said that it was not easy to understand why the right hon. Gentleman the Member for Greenwich should have taken the price at 2*s.* 4*d.*, when, in fact, it was quoted at 2*s.* 8*d.* He (the Chancellor of the Exchequer) was not able to explain that; but he certainly did say that the price was now taken at the figure that he had stated, and that, taking the calculation upon that figure, the result was arrived at of a difference of 11*d.* in favour of the British manufacturer. It appeared to him obvious that, previous to the settlement of 1863, the advantage that was given in the shape of drawbacks was really not one that entered into the consideration of the question. The effect of the drawbacks now given had been to make that valuable, which formerly was thoroughly valueless, because everything in the nature of stalk was capable of being ground into what by courtesy was called snuff, and a drawback was allowed upon it, whatever its value might be; and, in many cases, it appeared that the substance, as so presented, before the system of drawbacks, was of no value at all. That was proved by the fact that the manufacturer to whom it belonged found that the best thing to do with it was to incur all the expense and trouble of sending it across the sea, either to the Channel Islands or to Hamburg, there to be destroyed. That, no doubt, had given a fictitious value to the stalks, and the result had been that the manufacturer had gained a considerable amount of advantage from the arrangement. Well, he proposed to make that real which had hitherto been fictitious. In point of fact, with regard to much of this offal, it might be said that the Government, in giving the drawback as they had done, had been giving compensation to the manufacturer, and he proposed that that should be done without rendering the circumlocution necessary of sending it abroad at considerable expense. That was the real state of the case. The proposal of his hon. Friend (Mr. Ritchie) was one that would not, of course, be injurious to the Revenue. On the contrary, it would lead to an increase of duty; but it was one that he did not think it was desirable that they should adopt. It seemed to him that the matter was of very small moment, and he did not believe that it really could make the smallest practical difference to the home manufacturer. They might hope that the addition to the duty would not be for ever and ever; but he believed that the settlement the Government had proposed was a better settlement than that suggested by his hon. Friend, as being one that made the addition to the duty simple and uniform. He trusted that the House would support him in maintaining the lines of the Budget as it had been voted. It would be very inconvenient, indeed, to make changes in its arrangements, and he did not see really that any practical case had been made out for taking such a course. There was, no doubt, a small addition made to the difference, or rather a small diminution made in the difference, which had existed of late years between the duty on the foreign cigars and on the British manufactured cigars; but, on the other hand, the difference which he proposed now to establish would be exactly that which was intended to be established by the Chancellor of the Exchequer in 1863. Therefore, while regretting very much that it was not in his power to accede to the proposal of his hon. Friend, he hoped the House would support him in maintaining the Budget in its present form.

Question put.

The House *divided:* — Ayes 184; Noes 82: Majority 102.—(Div. List, No. 114.)

Main Question, "That the Bill be now read the third time," proposed.

Mr. DILLWYN said, he understood there were many hon. Members who, on this Motion, wished to address the House at some length upon a very important point; and he, therefore, begged to move that the debate be now adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Dillwyn.*)

Mr. ASSHETON CROSS thought the Motion of the hon. Member for Swansea (Mr. Dillwyn) was one which the House would not assent to. It was only 10 minutes to 12 o'clock, and there was ample time to discuss any question which could fairly be raised. He must impress upon the House, in view of the debates that were pending, the necessity of taking the third reading of the Bill at the present time.

Sir GEORGE CAMPBELL said, he had a Motion upon the Paper with regard to this Bill which the Forms of the House would not allow him to move; but he must say that he had hoped that the Chancellor of the Exchequer, upon a candid consideration of the whole matter, would have thought it right to concede its substance. The ground upon which he had founded his Motion was simply that it was right and necessary that they should make due provision for honestly paying their way, and finding Ways and Means to pay the expenses for the year. If this Bill had been one of several Money Bills which would come before them, he should not object to proceeding with it that night; but upon this measure their whole Ways and Means for the year were founded, and if they passed it that night they would put themselves out of court—they would have no further taxation to fall back upon. The Chancellor of the Exchequer had told them that they were not to burden posterity with the expenses of this year, but that they were honestly to pay their way. That was all he asked the right hon. Gentleman to do. It had now become known to the House that they were to have heavy Supplementary Estimates for certain military charges which were not mentioned in the Budget Statement of the Chancellor of the Exchequer. The right hon. Gentleman said the other night that he told the House there would be Supplementary Estimates. That was true; but he had also told them at the time what those Estimates were to consist of, the result being, from his own showing, a Supplementary Estimate for certain specified military charges which might amount to £1,500,000. The expenses still due on the lapsed Vote of Credit were £700,000. The Chancellor of the Exchequer estimated the charge for Reserve Forces at £600,000, and for additional Navy expenses at £400,000, making the full £1,500,000 without any margin. But he (Sir George Campbell) ventured to submit to the House, the other night, that the expenses of the Indian troops before they were got back to India would be very large indeed. The Chancellor of the Exchequer could not tell yet what they would be. Nor could he (Sir George Campbell), but he ventured to repeat that they would be very large, and his humble advice to the right hon. Gentleman was that he should frame his Estimate in this way. He should take care to include every possible detail, allowing a margin for a liberal sum for contingencies; and, having done that, he advised him to double his Estimate—and, if he wished to be very prudent, to double it again. He would then, perhaps, arrive at something like the cost of the movement of their Indian troops before they got back to India. Therefore, if the Chancellor of the Exchequer proposed to follow out his own plan of honestly paying his way, he must re-cast his Budget in order to provide for this large additional expenditure, which he had in no way provided for, but left wholly outside his Budget. But this Indian military expenditure was not the only expenditure looming in the distance. This country was carrying on a large war in South Africa, the expenses of which must be taken into account. They had been told early in the evening that the whole of the expense was being met at present by advances from the Imperial Treasury. He would ask the Chancellor of the Exchequer, whether he had satisfied himself that there was any security that these advances would be repaid? Apparently, the money was being spent by our Government without any authority from the Cape Legislature—that Legislature, in fact, not having been called together. Upon these grounds, he would put it to the Chancellor of the Exchequer, whether, in pursuance of the honourable principle which he had laid down of honestly paying their way, it was not desirable that they should delay the final passing of this Bill, and thus not shut themselves out from further resources? That would be the result of the Motion now before the House, and upon that ground he would support it.

THE MARQUESS OF HARTINGTON: Sir, I am afraid that, if the Government do not give way, the only effect will be that we shall have two discussions when one only, if taken at an earlier hour, would be sufficient. It must, I think, be admitted that the Motion for Adjournment is a very reasonable one. This is the last stage of the last Bill on which the House will have an opportunity of considering the financial proposals of the Government as a whole. Those proposals have, no doubt, already been discussed fully, and at considerable length; but I wish to point out to Her Majesty's Government that all the discussions which have hitherto taken place on those proposals have taken place with insufficient knowledge on the part of the House. Since the last discussion of the proposals of the Government, a fact—a most important fact—has come to the knowledge of the House. It has certainly not been communicated to the House in any way; but it has come to the knowledge of the House that Her Majesty's Government propose to despatch a considerable Force of Indian troops from India to Malta. That will involve considerable expense, and there are two questions for the House to consider. In the first place, whether the Government were aware—as they necessarily must have been when their financial proposals were submitted—of the intention to send these troops, and whether they ought not to have included this financial charge in their proposals? The other consideration is, whether, having this knowledge, we can now pass the financial proposals of the Government as such as are adequate and proper under the circumstances of the case. I think the Government cannot but admit that these are circumstances which we have not yet had an opportunity of discussing, and which are fully worthy of being discussed by the House. It is quite impossible that the discussion can take place at this hour of the evening, and I really think the Government would save time by consenting at once to the proposal for adjournment. I will only add that the right hon. Gentleman agreed the other night to report Progress at 10 o'clock, or as near 10 o'clock as possible, with a view of having a general discussion on the Budget Resolutions. No doubt, it was not the fault of the Government, but Progress was not, as a matter of fact, reported until half-past 10, and the time which has elapsed since has been occupied in discussing a purely technical point. It is, therefore, quite impossible that questions which still remain, and which are of very great importance, can be discussed at the hour we have now reached.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I cannot think the hour is at present too late for such a discussion as might be raised on the third reading of this Bill. If, indeed, we were in the position the hon. Member for Kirkcaldy (Sir George Campbell) says we are in—and which the noble Lord opposite seems to favour—that this is the last occasion on which a discussion of the financial proposals of the Government could take place, and if we were to accept the hon. Member for Kirkcaldy's notion, that if once this Bill is passed, there can never be, in the course of this Session, any further financial proposals, I admit that the case must be very different from what it is. But that is not at all the real state of the case. Any hon. Member who has attended to the Business of the House for the last few years must know that it is always the duty of the Government, if circumstances render it necessary to make further financial proposals, to make them. And, of course, if circumstances should arise—I do not say they will—to render it necessary for other financial proposals to be made, they will be made. But, with regard to this particular question, so far as it relates to the expense of moving the troops from India to Malta, that must be made the matter of a Supplementary Estimate, and when that Supplementary Estimate is laid before the House, it will be perfectly open to the House—and, indeed, I apprehend, the natural inclination and duty of the House—to canvass the proposals so made, not only on the merits of the particular expenditure that may be recommended, but also in reference to the general financial position of the country. The House could do that whether this Bill was passed or not, and the only opportunity in which the matter can be properly discussed, with a full knowledge of the subject, will be when we are in a condition to present a Supplementary Estimate to the House. If it were two or three, or even five, hours earlier than it is, we are not able to prepare such an Estimate of the probable expense of the movement as would enable us to make such a statement in its proper connection with the financial proposals of the year. But in the meantime, there is this Bill, which, to a certain extent, affects various interests in the country. The proposals of the Government have been, so far, accepted by the House, by the stages of the Bill having been allowed to pass; and, in point of fact, we are acting upon them—the income tax, for instance, being levied at the rate proposed in the Bill. But all that is beyond strict law, and it is very undesirable that any postponement of this measure should take place. It has been fully discussed and considered, and any further postponement would be highly inconvenient to the public service. The noble Lord has remarked that there may be a question whether, if the Government knew at the time the Budget Statement was made, that this expenditure was to be incurred, it was not their duty to state it to the House. Now, I must act frankly with the House in this matter. The Budget Statement was made on the 4th of April, and at that time the principle of bringing Indian troops to Malta had been under the consideration of the Government, and had been accepted in principle by the Government; but the details had not been gone into at the time. No orders had then been given, nor, indeed, until a week after the Budget Statement was made, and it would have been impossible to make any statement in regard to that matter at the time the Financial Statement was made. I may also draw attention to the construction of the Budget of this year. It was in several respects peculiar, and peculiar in this respect, that we did not attempt, in the one financial year, to bring about an absolute balance between Income and Expenditure. We proposed to provide for the ascertained deficit in the year, apart from our special military service, of about £1,500,000. We desired to provide for such Supplementary Estimates as we were then able to foresee, and we proposed to pay off as much of the loan raised for the Vote of Credit as we might be able to do out of the Ways and Means we asked for. The Estimates which I then presented were necessarily of a tentative and uncertain character; but the general result was, that I proposed to provide Ways and Means sufficient to cover the estimated deficit in the ordinary Expenditure, to provide for £1,500,000 of possible Supplementary Estimates, and to provide about £750,000 towards the reduction of the Debt, leaving a certain amount due to be paid off next year. That was altogether a Statement which was evidently incomplete, because the outcome of it must depend on the unascertained quantity of the Supplementary Estimates; and, undoubtedly, it would be the duty of the Government, in the course of the Session, to present to the House as full an account as possible of the Supplementary Estimates which were to be expected, including what the hon. Member for Kirkcaldy has referred to—namely, the expenditure at the Cape—and of any other matter on which an expenditure of money may be necessary. It will be the duty of the Government, of course, to present such Estimates as these to the House, and, at the same time, to state what proposals they have to make. These proposals will be shortly laid before the House, and will have to be canvassed, of course, freely and fully. We shall in no way shrink from the discussion of them. I think it would be for the convenience of the House—not a question merely of convenience to the Government — that some time should be allowed to elapse before we are called on to enter upon a discussion which, perhaps, might after all, have to be renewed again, and might last a considerable time, when we have the means of giving fuller information than we can give at the present moment. Under these circumstances, I hope the Motion for Adjournment will not be pressed; and if there are any further observations to be made, I hope we shall not be led into a full discussion of the whole of the financial policy of the Government at a moment when we have reached, as it were, the conclusion of the Budget Resolutions proper, and the Government is not in a position to give the full information which will be necessary before we can have a full and satisfactory discussion of the new points which have been raised, and the new events which have transpired.

Mr. DODSON said, it appeared to him that the right hon. Gentleman in his observations had furnished a very good reason why they should adjourn the debate. The right hon. Gentleman said they stood now in the position of discussing the whole financial proposals of the Government. Now, that was exactly what they wanted to have the opportunity of doing. The right hon. Gentleman added, that they would have an opportunity of discussing the movement of the Indian troops when the Supplementary Estimates were laid before them. No doubt, when the Supplementary Estimates were submitted, the House would wish to discuss them very fully indeed; but he thought the House would also wish, before parting with the Budget Bill, to have an opportunity of discussing the financial arrangements of the Government as a whole, and it was upon that Bill that they could have that legitimate opportunity. In the Budget Speech, the right hon. Gentleman stated the amount of his deficit, and the amount he intended to provide for by the taxation of the year, and he informed the House that he was prepared to leave a remanet which might amount to £1,500,000 or £2,000,000, to stand over until next year. Since that Statement was made, and since the House adjourned for the Recess, the circumstances had materially altered. They knew now that there would be a further deficit. They did not know the amount; but they knew that there would be a farther deficit, and they wished to have an opportunity of discussing the change in the circumstances which had taken place. He contended that that change was one of a very important character. The right hon. Gentleman told them now that at the time the Budget was introduced, the Government had come to a decision to summon these troops from India. Then, he (Mr. Dodson) thought the House was entitled to have a full explanation from the right hon. Gentleman, and a full discussion of the reasons which had induced the Government, knowing that that change was determined on, not to include it in the Budget of the year, nor with the analysis of the deficit the right hon. Gentleman looked forward to.

The CHANCELLOR of the EXCHEQUER: The right hon. Gentleman is not quite accurate in his statement or recollection of what I said. What I did say was that the movement of the troops from India to Malta had been decided upon in principle, but that the matter was under consideration at the time of the Financial Statement, and that no orders were given in reference to the matter until a week after the Budget was introduced.

Mr. DODSON said, that, at any rate, the movement was decided upon in fact, while the discussions on the Budget were proceeding; for the House adjourned for the Easter Recess on the 16th of April, and on the 17th it was announced in the papers in London that the troops were coming. It would appear that the matter had then been fully decided upon, because the telegram from Calcutta mentioned what regiments were coming and under what circumstances. The right hon. Gentleman himself told the House the other night that the matter had been decided some time ago. Therefore, although the matter had only been decided upon in principle on the 4th of April, still it was decided upon, as a matter of fact, while the Budget Resolutions were being discussed; and the House would require a full explanation from the Government why the expenditure was not provided for in the Ways and Means of the year. He would remind the House, in connection with the matter, of another circumstance which just occurred to his mind. On the last evening before the House adjourned for the Recess, after considering the Budget Bill, the right hon. Gentleman proposed that the House should take the unprecedented course of passing two stages of a Money Bill in the same Sitting, although the right hon. Gentleman knew that this charge was coming, and that no explanation had been offered to the House. He regarded this movement of the Indian troops as a very serious matter. He would not enter into the question whether it was Constitutional or not; but he did say that, politically and financially, it was a very serious innovation both as regarded our position towards India and our position towards Europe. It was a serious innovation as regarded our position towards India, if it were to be understood that it was to be possible that the Government should, at the expense of India, maintain a surplus Army in India which was to be at their beck and nod, available for service in Europe; and it was a serious matter as regarded our position towards Europe, owing to greater facilities and temptations it afforded to any Government to commit the country to wars in Europe, or elsewhere, by using an Army, the men belonging to which were not voted by Parliament, and the money for maintaining which was not voted by Parliament. ["No, no!"] It very clearly was so. This would materially increase the facilities of the Government to go to war, because what would be the position? There was an Army ready, maintained at the expense of India, without the control of Parliament either as to men or as to money. The Government could bring that Army over by an order whenever they pleased; and then, by Act of Parliament, the troops having been brought out of India could no longer be charged upon the Revenues of India. The House of Commons had then no option but to pay the Bill presented to it, and it was idle to talk of its financial control. That was the position the House of Commons and the country were placed in, and he contended that it was a serious innovation, and one that, whether right or wrong, ought not to be assented to without discussion. Let it be ever so much an act of wise and great statesmanship—he, for one, offered no opinion on the point—but, at the same time, it was a great innovation in our mode of dealing with the Indian Army, and it was a matter which the House was entitled most fully to discuss, and to receive the fullest explanation from Her Majesty's Government why no provision was made for such a step in the Ways and Means of the year. He therefore thought it would only be graceful and fair on the part of the Government towards the House, under the circumstances, to accede to the Motion for Adjournment. He would remind the right hon. Gentleman of what was mentioned by the noble Lord the Member for the Radnor Boroughs (the Marquess of Hartington), that the right hon. Gentleman consented to report Progress at 10 o'clock, in order that there might be a full discussion upon the Bill. From an accidental circumstance, the discussion in Supply went on until half-past 10, and then the Amendment of the hon. Member for the Tower Hamlets (Mr. Ritchie) took up considerable time, and led to a division. The result was that the House had now arrived at a period when it was impossible to have a satisfactory discussion.

MR. NEWDEGATE remarked, that early in the evening he inquired when the right hon. Gentleman the Chancellor of the Exchequer would produce his Estimate to provide for the expense of moving the troops from India to Malta? The right hon. Gentleman early in the evening was elsewhere engaged—whether in opening a debating club at Oxford or not he did not know—but the right hon. Gentleman was certainly not in his place. He scarcely thought, when important Business demanded attention, that the time of the Leader of the House should be occupied in regulating a debating club. ["Oh, oh!"] He would remind hon. Members on that side of the House that it was 25 years since he was one of those unavowed officers whose business it was to make a House, to keep a House, and to cheer their Leader when he was wrong. He wished now to call attention to that which was admitted by the Leader of the Opposition to be an innovation and an anomaly; because it was now declared by the right hon. Gentleman the Chancellor of the Exchequer that the Government intended to make provision for the importation of Indian troops into Europe—for to say Malta was not in Europe was a geographical quibble—which had never hitherto been the case, there to be used and commanded as though they were a portion of the Regular Forces of Her Majesty. Under the Act for the Government of India, such powers might be exercised; but that which was unprecedented was that Her Majesty's Government should undertake to exercise that power without having previously informed the House of Commons, and obtained the sanction of the House of Commons to that proceeding, not only by the production of an Estimate, but in anticipation of such a requirement. When it was proposed that we should undertake the Abyssinian War, the Leader of the House came down and informed Parliament that it was part of the policy of the Government, for the first time in the history of this country, to use that which had always been considered the local Force of Her Majesty's great Dependency for Imperial purposes. He thought the noble Lord the Leader of the Opposition was only fulfilling his bounden duty in calling attention to the circumstances of the case. He was justified, as the Leader of the Opposition—and, therefore, as one of the two Leaders of the House—in requiring that, before this innovation should proceed further, the House should be afforded a regular opportunity of discussing the question in connection with the whole of the financial proposals of the Government. All that was asked was that the financial measures provided for in the Ways and Means of the year should be postponed until this, which was called a Supplementary Estimate, but which was treated as one of the Regular Estimates for the first time by the Chancellor of the Exchequer, was submitted to the House. He hoped the Government would feel that they were not taking an unprecedented step, and he hoped the House of Commons would agree that it was an occasion on which they ought not to deprive themselves of their legitimate power to control the Expenditure of the country.

MAJOR NOLAN observed, that two Cabinet Members had spoken in this discussion, deprecating adjournment; but English county Members had got up on the Ministerial side of the House, and their example had not encouraged the Opposition to fall in with their view. His remarks might not be listened to; but he felt it his duty, nevertheless, to make them. He was not going to raise any novel ground of objection to the Budget. It was an old ground taken against it, but he felt it strengthened somewhat by communication with his constituents, who approved of his resistance to every attempt of the Chancellor of the Exchequer to carry a tax which would peculiarly affect them—the tobacco tax. The Chancellor of the Exchequer, in introducing the Budget, made a remark which had very much struck him. He said they had to make a choice between direct and indirect taxation, or a combination of the two. Now he wished to raise his protest against indirect taxation being applied for war purposes, until there was a sufficient amount of direct taxation imposed to make the indirect taxation equitable as between the rich and the poor. He never heard the Chancellor of the Exchequer say that the rich paid the proportion of their incomes in taxation as the poor. Not one attempt had been made to argue that the rich at present paid the same proportion of their incomes as the poor. In Ireland, the expenditure of the poor in taxation amounted to about £1 per head per annum, being about £3 or £4 for a family, and representing about 7 or 8 per cent of their incomes. The whole taxation of the rich, direct and indirect, did not exceed 3 or 4 per cent. He intended to divide the House, therefore, on the third reading of the Inland Revenue Bill—not that he objected to granting the money the Government asked for, but that he objected to indirect taxation being applied until the rich were taxed to the same extent, in proportion, as the poor.

MR. CHILDERS said, that the object of the few remarks he intended to address to the House, was to show the strange anomaly of the position taken up by the Government with respect to the Supplementary Estimates of this year. When the Chancellor of the Exchequer brought in the Budget, he mentioned that besides the ordinary expenditure it would be necessary to provide £1,500,000 for certain additional charges, which he enumerated under five heads; and he had told them that night that the Supplemental Estimate for those charges would not be laid before them for some time to come. He had also told them that night that at the time the Budget was prepared the Government contemplated the sending of troops from India, and that they should have in a few days a Supplemental Estimate of the expenditure for that purpose. The Budget was thus constructed for changes for which they had not, and would not have for some time, the Estimates; but, at the same time, the Government had been contemplating an expenditure not included in the Budget, and the details of which they had been promised should be placed before them in a few days. The House could not be too careful as to how it acted in such an extraordinary state of things. After that statement made to them by the Chancellor of the Exchequer, it was absolutely necessary that they should have a full opportunity of discussing the subject, and to elicit full explanations concerning it, if they wished to keep up that financial control of which the House was so jealous. Otherwise, they would go before the country as adopting a Budget of which they were not to have the details for some time; while details of expenditure were to be laid before them in a few days, which had not been included in the Budget, though it was contemplated when the Budget was laid before them. Now that question of the Indian expenditure being, or not being, included in the Budget was an extremely serious one. He would only remark that the last occasion on which troops were sent from India for war purposes was when they were despatched in support of the Abyssinian Expedition. On that occasion the same question arose as to whether the Government had taken Parliament into their confidence as early as they might have done. And what was the difference in the two cases? In the first of these cases, and speaking in "another place," the late Lord Derby, then First Minister, stated that the Government came to the decision to send the troops on the 19th of August, and that on the 21st of August Parliament was so informed. When, in the following November, the Question was asked—"Why did you not give the Estimates in detail at that time?"—the answer was—"We took Parliament into our confidence the very moment we could do so. Supply was closed, the Appropriation Act had left the House, and Parliament would have objected to being kept together longer. If Parliament had been sitting a few days longer, a Vote would have been taken at once; but Parliament was called together as early as it could be in the Autumn." In that case, the present Chancellor of the Exchequer, on the part of the Government, made it a great merit, and took great credit, for having taken Parliament into its confidence, within two days of its having come to that resolution, and offered the most humble apology, and solicited condonation, for not having actually obtained a Money Vote. The House was bound, therefore, to insist on satisfactory reasons being given for the high-handed proceeding now adopted; and, as this could not possibly be debated after half-past 12 o'clock, the debate should certainly be adjourned.

Colonel PARKER thought his hon. Friend the Member for North Warwickshire (Mr. Newdegate) had fallen into an error, and that that error should be corrected. The hon. Member was wrong in saying that Indian troops had never been employed for Imperial purposes. It must be in the memory of many hon. Members there present, that in the early part of the century Indian troops were often employed for Imperial purposes. They were so employed in Egypt. Who was there that did not remember with what honour Indian troops served for Imperial purposes under Abercrombie? And, again, when Java was in the possession of the Dutch, and it was thought desirable for Imperial purposes that it should be occupied, Indian troops were for that reason landed in the Island. It was not right that it should be said, therefore, that they had not been employed for Imperial purposes; and if it were said, what he had stated should be borne in mind. Whenever the services of those troops were again needed, he had no doubt they would be rendered as freely and as efficiently as they had been before, and he hoped they would receive the reward which a generous and kind country could bestow.

Mr. NEWDEGATE asked leave to explain that he stated, not that Indian troops had never been employed by Her Majesty's Government for Imperial purposes—because they all knew they had been so employed in the China War—what he stated was, that they had never been used for Imperial purposes, whether in Africa or, he believed, in China, without a previous communication being made to Parliament.

MR. WALTER observed, that they had already passed an hour in discussing the question—whether they should proceed with the discussion of the Bill that night. Having sat in that House during 30 years, he might say he had always found such discussions extremely unprofitable; and he would appeal to the Chancellor of the Exchequer, whether it was worth while to refuse to accede to the request preferred by the Leader of the Opposition, probably with the support of the majority of Members on that side of the House. What would be the consequence? On a division, he would, no doubt, get a majority; but would he be any nearer gaining his end than if he conceded the request at once? He would find that they had only been carrying on a useless discussion, with a loss, perhaps, both of time and of temper. He did not wish to express any opinion whatever adverse to the policy of Her Majesty's Government with regard to the despatch of troops from India; but, looking at the attitude of the front bench of the Opposition, and to the general wish that there should be a fair discussion of the question, he would appeal to the Chancellor of the Exchequer to give way, as a matter of good feeling.

MR. PAGET thought it desirable the House should understand what was the reason of their being asked to adjourn the debate. Was it because it was necessary now to discuss the principle of that movement of the Indian troops? ["No, no!"] It was not? then let them put that aside, and let that be agreed by all. Let them agree that it was a question to be discussed, but to be discussed at the proper moment, when, as the Chancellor of the Exchequer had just told them, he would be in a position to furnish them with all the details, and all the figures; and, when alone, the House would be in a position to enter into the discussion of the subject. But if they could not do that now, he wanted to know of what use was the discussion? The right hon. Member for Chester had spoken of this measure as an instance of great and wise statesmanship. ["No, no!"] Well, if he had not expressed that opinion, at any rate he had said that he could not say it was not; and he hoped that when the right hon. Member came again to the discussion of the question, he might have made up his mind on the matter. The right hon. Gentleman the Member for Pontefract (Mr. Childers) had endeavoured to make a strong point out of the fact that the Chancellor of the Exchequer had stated that when he introduced his Financial Statement, the Government had, as a matter of principle, determined on this step; but, as a matter of fact, it was more than a week afterwards that any definite resolution was taken as to what was to be done. The Financial Statement must be brought forward in each year at a given time. It was impossible to delay it; and it was impossible that it could include any provision for an expenditure, the extent of which was unknown. There was, in fact, no means of dealing with this expenditure which had arisen except by a Supplemental Estimate; and was it because they were told that there was to be a Supplemental Estimate, that the whole of the Budget, and all its necessary arrangements were to be delayed until the Supplemental Estimate was brought out? He apprehended that the Budget for the present year was prepared under very exceptional circumstances; and if, from any exceptional circumstances, occasion arose for increasing the expenditure, it would have to be met by a Supplemental Estimate. There could be no reason, therefore, for further adjournment. The whole financial policy of the Government was before the House, and had been assented to by it; and as the House had agreed to the financial policy of the Government, let them settle it now, and decide on the question of the movement of the Indian troops when the Estimate relating to those troops was before them.

Question put.

The Committee *divided*:—Ayes 85; Noes 170: Majority 85.—(Div. List, No. 115.)

Main Question, "That the Bill be now read the third time," again proposed.

MR. HUSSEY VIVIAN said, he had sat in the House for a quarter of a century, and had never yet moved the Adjournment of the House. If he made such a Motion now, therefore, it was not likely that it could be called a factious Vote. He must say that, in his opinion, it was most improper to attempt to pass the Bill that night without any discussion or any allusion to what he believed to be an un-Constitutional and illegal proceeding on the part of the Government, in bringing Indian troops to Malta without making any provision for the consequent expenditure, with no materials for forming an opinion in their possession, and with no knowledge of what was going on, they were called on to read the Budget Bill a third time at midnight. He said, decidedly, that the House should not be called on to do so. He appealed most earnestly to his right hon. Friend the Chancellor of the Exchequer not to press the question at that moment. When he saw the desire that the measure should not be pressed at that time, he begged of him to respond to the appeal which had been made to him, and not to press the measure that night, but to allow it to stand over, and be gone fully into on an early day. He thought the question of so much importance, that he begged now to move the Adjournment of the House.

Mr. MITCHELL HENRY seconded the Motion. As the Government had denounced it as an un-Constitutional proceeding on the part of the Leader of the Opposition, to oppose the third reading of the Budget Bill at 1 o'clock in the morning, they might be content with having made that remarkable declaration, and allow them to adjourn. The country did not know what was to come. Another friendly Force might be employed by the British Government, to come from another part of the world. They might require the services in Europe of a number of Fingoes without the consent of Parliament. That was a principle and a policy which could not be characterized in too serious terms, and which the country would be glad to see discussed. Before the financial policy of the Government became law, the House should be fully informed upon it in order that the policy of the Government might be considered from the point of view stated by the Leader of the Opposition as to the altered circumstances brought about by the knowledge of expenditure of which they had been kept in the dark. He trusted that their resistance was not going to be a mere *brutem fulmen*—that they were not going merely to discuss, and not to insist on their views after all. If they were led by the front Opposition bench as gallantly as they had been hitherto in this matter, and if they should be backed by the noble assistance that had unexpectedly come to them from the other side, they might still hope that their objections would not have been urged in vain.

Motion made, and Question proposed, "That this House do now adjourn"—(*Mr. Hussey Vivian.*)

Major O'GORMAN observed, that if this Motion had been brought forward originally at half-past 12 o'clock, he could better have understood the course that had been taken. He certainly thought they might have continued the debate on the third reading of the Bill until half-past 12 o'clock, or even up to that moment (1 o'clock), and then have considered the question of the Adjournment of the House. It would have been perfectly competent for any hon. Member to move the Adjournment at the later hour; and, no doubt, hon. Members on that (the Opposition) side of the House would have been glad of the opportunity to speak against the third reading of the Bill. He had voted against the Adjournment and should do so again, as he considered the Government were clearly entitled to the hour that had been lost.

The CHANCELLOR of the EXCHEQUER: I earnestly hope that the Government may, at some time or other, come by its rights, and I shall be much obliged to my hon. and gallant Friend if he will tell us by what process we are to gain them? I think, at all events, if we cannot get them at a late hour, we must consider what will be the most economical arrangement with regard to a future occasion. I am utterly at a loss to understand what is the precise object of the Motion for Adjournment, or what is the precise nature of the discussion to be raised. I cannot, however, fail to see that it is to the convenience of the House that we should accede to the Adjournment when it is desired by 85 Gentlemen, and when the Motion, after being once rejected, is again pressed. Of course, in that case, the Motion will no doubt be withdrawn; but when we agree to the Adjournment, I think there should be some understanding, after what has been said, as to the time to which the Adjournment is to be made; because, if I comprehend matters aright, the question is, not whether this Bill is, in itself, a proper Bill or not, but what the financial arrangements of the Government ought to have been, and what our foreign policy ought to have been? I do not quite understand how we are to discuss that question until we have arrived at such a development of the position generally as will enable us to come forward with exact statements of all the Supplementary Estimates, if any, that may be required in the course of the Session. I am prepared to agree to put down the third reading of this Bill for Monday; but I should like to know from the noble Lord opposite, and some of the Members on that side of the House, whether they think, by our placing the Bill as the first Order on Monday, they will attain their object; or, whether we shall then be asked again to adjourn the debate upon the third reading until we shall have placed on the Table a Supplementary Estimate, which we may not be able to present for some little time?

The Marquess of **HARTINGTON**: So far as I am concerned, I do not wish to dictate to the Government as to what time their Budget Bill should be postponed. All I desired, when I rose before to address the House, was to obtain from the Government a fair opportunity for hon. Members on this side, to consider the new information that has reached them during the last few days, and to consider its meaning before the original financial proposals of the Government are finally disposed of. I have, therefore, no objection to the suggestion of the Government that the debate should be adjourned to Monday. The Government may probably have further financial proposals to make in the course of the Session; but still, if they are in a position to submit them to the House, with the knowledge that these troops are to be despatched from India, I think the House will be prepared to discuss those proposals; and all I ask for, is that the discussion should take place at a becoming hour.

Motion, by leave, *withdrawn.*

Main Question, "That the Bill be now read the third time," again proposed.

The **CHANCELLOR** of the **EXCHEQUER** moved that the debate be adjourned until Monday.

Motion *agreed to.*

Debate *adjourned* till *Monday* next.

SUPPLY.—REPORT.

Resolutions [May 6] *reported.*

First two Resolutions *agreed to.*

Resolution 3.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

Sir **HENRY SELWIN-IBBETSON** took that opportunity of fulfilling a promise he had made to the hon. Member for Kendal (Mr. Whitwell), by explaining that, practically, the numbers of the Supplemental Civil List clerks were identical. It had been found necessary to alter the number of clerks in one particular branch, but the total was the same as before; and, at the present moment, the salaries of some of them were below those of their predecessors.

Resolution *agreed to.*

Subsequent Resolutions *agreed to.*

PUBLIC HEALTH ACT (1875) AMENDMENT (*re-committed*) BILL.

(*Mr. Alexander Brown, Mr. Playfair, Mr. Ryder, Mr. Joseph Cowen.*)

[BILL 144.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

On the Preamble.

Mr. **SCLATER-BOOTH** proposed to make an alteration in its terms, in order to meet an objection which had been raised, that some of the words in the recital were not supported by facts. He, therefore, moved to leave out those words in order to insert these—"It is expedient to amend the provisions of the Public Health Act of 1875."

Motion *agreed to.*

Bill *reported;* as amended, to be considered upon *Monday* next.

MOTIONS.

PARLIAMENTARY AND MUNICIPAL ELECTIONS (BALLOT PAPERS) BILL.

LEAVE. FIRST READING.

Sir CHARLES W. DILKE, in moving for leave to bring in a Bill to assimilate the Law of England, Scotland, and Ireland, with regard to the marking of Ballot Papers, briefly explained that its intention was to carry out a most important suggestion of a Select Committee, which sat in 1876, and of which he had the honour of being Chairman.

Motion *agreed to.*

Bill to assimilate the Law of England, Scotland, and Ireland, with regard to the marking of Ballot Papers, *ordered* to be brought in by Sir Charles W. Dilke, Sir Henry James, Mr. Mark Stewart, and Major Nolan.

Bill *presented*, and read the first time. [Bill 172.]

ADMIRALTY AND WAR OFFICE (RETIREMENT OF OFFICERS) BILL.

On Motion of Sir Henry Selwin-Ibbetson, Bill to facilitate improvements in the organisation of the Admiralty and War Office by the retirement of Clerks from certain of the Civil Departments thereof, *ordered* to be brought in by Sir Henry Selwin-Ibbetson, Colonel Stanley, and Mr. William Henry Smith.

Bill *presented*, and read the first time. [Bill 169.]

GENERAL POLICE AND IMPROVEMENT PROVISIONAL ORDER (PAISLEY) BILL.

On Motion of The Lord Advocate, Bill to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," relating to the burgh of Paisley, *ordered* to be brought in by The Lord Advocate and Mr. Secretary Cross.

Bill *presented*, and read the first time. [Bill 170.]

PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER (LOCHGELLY) BILL.

On Motion of The Lord Advocate, Bill to confirm a Provisional Order under "The Public Health (Scotland) Act, 1867," relating to the burgh of Lochgelly, in the county of Fife, *ordered* to be brought in by The Lord Advocate and Mr. Secretary Cross.

Bill *presented*, and read the first time. [Bill 171.]

ACKNOWLEDGMENT OF DEEDS BY MARRIED WOMEN (IRELAND) BILL.

On Motion of Mr. Meldon, Bill to remove doubts concerning the due Acknowledgment of Deeds by Married Women in Ireland in certain cases, *ordered* to be brought in by Mr. Meldon and Mr. O'Shaughnessy.

Bill *presented*, and read the first time. [Bill 173.]

LOCAL GOVERNMENT PROVISIONAL ORDER (DARENTH VALLEY) BILL.

On Motion of Mr. Salt, Bill to confirm a Provisional Order of the Local Government Board relating to the Darenth Valley Main Sewerage District, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented*, and read the first time. [Bill 175.]

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Friday, 10*th May*, 1878.

NOTICE OF MOTION AND QUESTIONS.

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT.

Sir HENRY JAMES gave Notice that on Monday next he should ask the Chancellor of the Exchequer, What was the number of the Forces at present employed for the safety of the United Kingdom, and the defence of the possessions of Her Majesty's Crown, exclusive of the Forces acting in India; and, whether, with the addition of the Native Troops proposed to be removed to Malta, the number so employed would exceed the number authorized by Parliament—namely, 135,453?

Mr. A. MILLS gave Notice that he should move the following, as an Amendment to Mr. Fawcett's Motion, condemning the summoning of Indian Troops to Malta by the Government, without their intention having been first communicated to Parliament:—

> "That this House cordially approves the policy adopted by Her Majesty's Government in employing Native Indian Troops on Imperial service, not only as involving the exercise of the Royal Prerogative, but as affording a substantial recognition by Her Majesty's Government of the loyalty and efficiency of the Indian Army."

Sir HENRY HAVELOCK gave Notice that on Monday next he should ask the Chancellor of the Exchequer, with regard to the removal of Troops from India to Malta, Whether it was the fact that the officers commanding the Indian regiments, being entitled to Indian rates of pay wherever they served, would be receiving at Malta about £1,700 a-year each, or rather more than four-and-a-half times as much as would be received by the British lieutenant-colonels serving side by side with them; whether the number of Indian officers of those regiments, which was only seven for each regiment, had been increased, as on previous occasions, to from 14 to 16 each; and, whether of these, even the junior officers would not receive on Indian rates of pay as high an amount in pay and allowances as lieutenant-colonels commanding British regiments in the same garrison?

RAILWAYS—THE LATE SIR FRANCIS GOLDSMID.—QUESTION.

Mr. ISAAC asked the President of Board of Trade, If he has made any inquiry regarding the death of Sir Francis Goldsmid, Bart., M.P. for Reading; and, if he is prepared to obtain from Parliament powers to compel railway companies to so construct the footboards of passenger carriages or platforms as to prevent a recurrence of such serious accidents?

Viscount SANDON: Sir, before I answer my hon. Friend's Question, I must express the very deep regret with which I, in common with, I am sure, all the Members of this House, heard of the very distressing circumstances which deprived us of one of our most experienced Colleagues in Parliament, who was much esteemed and respected, as I know from personal experience, by all who had the pleasure of being brought into contact with him. As soon as we heard of this lamentable accident, we instructed Colonel Yolland to hold an inquiry respecting it. I have not yet received the Report; but I need hardly assure my hon. Friend that I shall carefully consider it, with the view of determining whether any action ought to be taken in the matter. I shall be happy to show him the Report as soon as I receive it. Since I have been in the House a letter has been placed in my hands from Lady Goldsmid, the touching concluding words of which I think the House would wish to hear. She expresses her

> "most painful anxiety that Thursday's tragedy may, if possible, be averted in future, and thus that his death may prove of some service to his fellow creatures."

RAILWAY TIME TABLES.—QUESTION.

QUESTION.

Mr. J. S. HARDY asked the President of the Board of Trade, Whether he can give the House any further information on the subject of the earlier publication of changes in their time-tables by the various Railway Companies.

Viscount SANDON: Sir, the Board of Trade have no power to oblige Railway Companies to publish the alterations in their time-tables at any particular period; but we thought it well, as was stated last year by my noble Friend who preceded me in the Office I now hold, to call the attention of the Railway Companies' Association to the matter. I am now glad to inform him that the Railway Companies' Association have stated to us that the several Companies will endeavour to publish any alterations they may make in their train arrangements at each station one week before the expiration of each month, and also to advertise them as early as possible. Some delay has occurred in effecting this improvement, owing to the difficulties which necessarily arise in settling the complicated arrangements of the time-tables of the United Kingdom; but my hon. Friend will now have the satisfaction of knowing that the interest he has taken in the matter promises to secure a considerable convenience for the public.

THE HERRING FISHERY COMMISSION REPORT—LEGISLATION.—QUESTION.

The Marquess of LORNE asked the Secretary of State for the Home Department, If it is the intention of Her Majesty's Government to take any steps to carry out the recommendation of the recent Herring Fishery Commission with regard to trawl net fishing in narrow waters on the west coast of Scotland?

Mr. ASSHETON CROSS: Sir, the Herring Fishery Commission Report and Appendix were only delivered at the Home Office on the 12th of April, just before the Recess, and it will be necessary that the Report should be well considered before fresh legislation is resolved upon. I can assure the noble Lord that the matter shall not escape attention.

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT. —QUESTION.

MAJOR NOLAN asked the Under Secretary of State for India, What was the proportion to each thousand of the fighting men ordered to embark from India, of the non-combatants attached under the heads of transport, supply, or hospital services, or as camp followers, including dhooly bearers, bheesties, syces, and servants?

MR. E. STANHOPE: Sir, the proportion of non-combatants to combatants is, as nearly as possible, 380 per 1,000 men. We have no precise details; but the non-combatants include the whole hospital establishment, ambulance, and sick carriage on the line of march and in the field, and also the whole of the regimental transport for the cavalry. None of the rank and file returned as combatants are withdrawn for any non-combatant duties.

TURKEY—CIRCASSIANS IN SYRIA.

QUESTION.

MR. BAXTER asked the Under Secretary of State for Foreign Affairs, If it is true that great numbers of Circassians have been landed by the Turkish Government on the coast of Syria, causing much alarm among the inhabitants; and if any Reports on the subject have been received from the British Consuls in that country?

MR. BOURKE: Sir, we have heard that a large number of Circassians have been landed on the coast of Syria, and several Reports on the subject have been received from the Consular officers.

UNDER SECRETARY OF STATE FOR SCOTLAND.—QUESTION.

MR. BAXTER asked the Secretary of State for the Home Department, If he intends to introduce the proposed Bill for the appointment of an Under Secretary of State for Scotland during the present Session?

MR. ASSHETON CROSS: Yes, Sir; I hope to be able to ask leave of the House to introduce a Bill on the subject on Monday next; and, also, another Bill making provision for the office of Lord Clerk Register of Scotland, which rather depends upon the other matter.

ARMY—FIRST CLASS ARMY RESERVE.

QUESTION.

MAJOR NOLAN asked the Secretary of State for War, If the men of the First Class Army Reserve are to receive, while serving with their present regiments, the daily rate of good conduct pay to which they were entitled previously to being transferred from the Army into the Reserve?

COLONEL STANLEY: Yes, Sir; they will receive the same rate of pay.

ARMY AND NAVY SERVICES—EXCESS.

QUESTION.

MR. RYLANDS asked Mr. Chancellor of the Exchequer, What is the estimated monthly charge at the present time for Army and Navy Services in excess of the provision in the Army and Navy Estimates, taking into account the cost of calling up the Reserves, of the additional ships in commission, of the war at the Cape, &c., but exclusive of the cost of the troops on their way from India to Malta, for which an Estimate is to be presented; and, when Supplementary Estimates for this excess will be laid before the House?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am afraid that I cannot, at the present moment, give any information that would be sufficiently precise to be of use to the House in the form which the hon. Gentleman asks for it. There are various heads of Expenditure which have to be considered. With regard to some of them, information must be got from the Dockyards, and other sources, which will take time to collect. Perhaps the hon. Gentleman will repeat his Question in a few days, and I will endeavour to obtain the information in the meantime.

SOUTH AFRICA—THE KAFFIR OUTBREAK.—QUESTION.

MR. KNATCHBULL-HUGESSEN asked the Secretary of State for the Colonies, Whether any fresh information has reached Her Majesty's Government relative to the proceedings in South Africa?

SIR MICHAEL HICKS-BEACH: Sir, we have to-day received the following telegram from Sir Bartle Frere, dated the 16th of April:—

"General Thesiger's operations for clearing Amatolas were quite successful, but detached robber bands will continue for some time extremely troublesome, and give full work to every one. Gongabelle taken prisoner. Sir Theophilus Shepstone's account of Transvaal rather improved. Boers' meeting to receive memorials regarding annexation of Transvaal lasted three days; passed over quietly. Appointed Kruger and Joubert to return to England."

ARMY—PAY OF RESERVE SOLDIERS.

QUESTION.

MR. PELL asked the Secretary of State for War, Whether, since the short service enlistment of soldiers commenced in 1870, whereby a man was engaged to serve six years with his regiment and six years afterwards in the Reserve Forces, the sum of £9 2*s.* 6*d.* per annum (6*d.* a day) has not been granted on discharge from Service with the Colours (4*d.* a day Reserve Force pay, plus 2*d.* a day deferred pay); whether at the time of calling out the Reserves last month many men so discharged from the Army to the Reserves had not obtained two good-conduct stripes for which on such discharge they had received the sum of £1, and for which they were now also drawing 1*s.* 2*d.* a week pay over and above their pay of 7*s.* a week as embodied Reserve soldiers, and whether 1*s.* 9*d.* a week is not the whole average necessary present outgoings from such pay now that a free ration of bread and meat is granted; and whether the Secretary of State is prepared to grant Returns showing the exact present pecuniary position of the soldier, both while with the Colours and afterwards with the Reserves, when the State makes an allowance of 3*s.* 6*d.* a week to his wife and 1*s.* 2*d.* a week to each of his children?

COLONEL STANLEY, in reply, said, although the hon. Gentleman had given him private Notice of this Question as early as possible, he had not been able in the short space of time since he received the Notice to verify the statements the hon. Gentleman had made. He had no doubt, however, that the facts had been accurately stated by his hon. Friend, and for all practical purposes the statement might be assumed to be correct. He should be happy to give the Returns if moved for.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PAROCHIAL CHARITIES OF THE CITY OF LONDON.—RESOLUTION.

MR. W. H. JAMES, in rising to call attention to the Parochial Charities of the City of London, and to move—

> "That it is desirable that Her Majesty's Government should, at the earliest possible date, introduce some legislative measure carrying into effect the recommendations of the Twenty-fourth Report of the Charity Commissioners with respect to the Parochial Charities of the City of London."

said, that the Motion in no way affected the various Companies of London, and that in making this Motion he had no desire to embarrass the Government. It must be admitted that great abuses existed throughout the country in the administration of parochial charities, but nowhere were those abuses so rampant as in the City of London. In the consideration of this question, it was necessary to recollect that the City of London was becoming year by year less a place of residence. The altering and widening of the streets, and the other improvements that had taken place, had driven the poor classes out, and every fresh alteration in that direction tended to further contract the area of habitation. The Census of 1871 showed a great diminution in the inhabitants of London from that of 1861, and between these periods the rateable value of the different parishes had greatly increased. As Parliament had determined upon the union of particular districts for Poor Law purposes, so now there should be a union of the parishes for charitable purposes. He asked the House to consider the subject in three distinct points of view—first, with regard to the precise nature of those charities and objects to which they were intended to be devoted; secondly, their nature and extent; and thirdly, how they could be brought into consonance with public opinion without prejudice to the rights of the trustees. He appealed to the Home Secretary that what was done should be done at once. He wished to avoid in the discussion anything which admitted of debateable ground or controversy with regard to the privileges of the trustees. He appealed to the Home Secretary not to deal with this question in a fragmentary way, but in one entire and comprehensive scheme that would give general satisfaction, and give effect to the rights of the trustees, and receive the approval of the public. It was difficult to arrive at a satisfactory conclusion as to the original objects of these charities. The Reports of the Charity Commissioners between 1820 and 1830, though voluminous, contained very scanty materials, and the statements as to the objects of the charities were purely conjectural. There could be no doubt that a great many of the trust deeds were destroyed by the Fire of London; but, although it might be impossible to ascertain the precise objects for which many of the charities were founded, yet it was obvious that in now coming to a decision as to the mode in which they should be administered, they should be guided by the consideration of what was just and expedient. The number of these City charities was 112, the total amount of their income being about £101,000 per annum. While the average population in each parish was 428 in the year 1861, it was only 264 in 1871. The average area of each parish was about 3½ acres. The number of residents and of inhabited houses in them had been greatly reduced, and some of them were almost exclusively occupied by banking and discounting firms and warehousemen, who certainly could not be supposed to need charity. At the time of the passing of the Union of Benefices Act, about 18 years ago, it was thought that when the parishes were grouped together, some useful purpose would be found for their endowments. Nothing, however, of that kind had been done, the depopulation of the parishes having gone on with extreme rapidity. The funds of those parochial charities were now frittered away in the re-decoration and ornamentation of churches, in providing testimonials for churchwardens, in feasting and convivial entertainments, and similar purposes. Very large sums were also handed over to the rates, thereby going not merely to benefit the poor, but also to relieve the rich from their legitimate burdens. Other sums, again, went to defray legal expenses—an object to which they were not properly applicable. Many of the churches in the City were no longer of any practical use; for, according to the Bishop of London, in many instances it was preaching to dead walls instead of living souls, and that many of the churches had neither beauty, usefulness, or architecture, to recommend them. They would hardly find a creature in the City churches if they visited them on a Sunday morning. It was told of a clergyman, who went to one of them to conduct public worship, that he looked out of the vestry and asked the clerk if anyone was there? The clerk replied—"One old woman;" upon which the clergyman said—"Very well; give her a shilling and tell her to go home." It might be said of London, as it was said by an illustrious statesman years ago, that the merchants and traders of London now made their counting-houses their churches and their ledgers their Bibles, their desks their altars, and their money their god. He had been at a meeting of the Charity Organization Society at the Mansion House, where the speakers all denounced the sin of indiscriminate charity of giving 6*d.* or 1*s.* to a beggar, without full investigation; but here, while thousands of pounds were annually wasted, to hold that language in the heart of the City of London was to strain at a gnat and swallow a camel. He did not complain of the entertainments given for occasional social gathering, except on account of the large sums of money squandered on them. He thought that the whole subject should be dealt with by the Government. It might be asked why the Charity Commissioners did not move in the matter; and the fact was, that from time to time they had made attempts, but had been defeated on some trivial points of law. As far back as the year 1866, in their 13th Report, they had reported that the charities showed a disproportion between the sums at their disposal and the objects of their foundation, and the result of subsequent inquiry had been to exhibit that circumstance in still stronger relief. The endowments of many of the charities consisted largely of property in London and the suburbs, which had enormously increased in value; while, in many cases, the number of the proper recipients of the funds had considerably diminished. Last year the Commissioners, in the 24th Report, had reported that in the altered circumstances of the City of London many of the parishes had no poor, properly so-called, and in those cases the clergy and churchwardens administered the revenues. One of these parishes had charities to the amount of £800 a-year, and the population numbered 46, of whom only four or five were residents, and none were paupers. A Court of Equity might establish a new scheme for each parish, as the circumstances of the various parishes differed; and what he wished to see was the re-appropriation of the funds to some parish with ample poor, where no difficulty would be found for a proper distribution of these revenues. It was impossible to read a more convincing Report, and he trusted that the Home Secretary would be able to give some promise that the proposals of the Commissioners would soon be carried out. He wished to add that much of the property in question was of a miscellaneous character, and might very well be brought into one capital account; and, perhaps, it might be advantageous to convert the lands of the Corporation into private property. But he hoped that questions of the rights of property would not be introduced into the debate. As he had said, the money ought not to be diverted to the diminution of the rates, or it would find its way into the pockets of the rich instead of the poor. Nor should it go to tithes; and, certainly, it ought not to be given to doles, for the purpose merely of encouraging people to go to church. The Charity Commissioners should be empowered to enforce the audit of the accounts of these charities. Reform of abuses in the direction he had indicated was obstructed by private interests, and how far those interests stood in the way of public good was a question which the Home Secretary and his Colleagues would have to consider. He believed it would be incumbent on the right hon. Gentleman next year to introduce a Bill dealing with the powers possessed by the Endowed Schools and Charity Commissions, and he hoped the right hon. Gentleman would be prepared then with a comprehensive scheme dealing with this question. He should press the Motion to a division, unless he had a most clear and distinct promise from the Government that they would actually do something in the way of reforming these charities, instead of putting off and temporizing with the subject. If he pressed the Motion to a division, he should do so as a protest against what he described as a system of greed, fraud, and peculation, by which the poor and necessitous of the Metropolis were deprived of a patrimony to which, in law and equity, they were fully entitled. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is desirable that Her Majesty's Government should, at the earliest possible date, introduce some legislative measure carrying into effect the recommendations of the Twenty-fourth Report of the Charity Commissioners with respect to the Parochial Charities of the City of London,"—(*Mr. James,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. ASSHETON CROSS hoped the hon. Member for Gateshead (Mr. James) did not accuse him of temporizing with, or putting off, the question. This, certainly, had not been his habit hitherto, and he did not mean that the present occasion should be taken as a precedent. On the contrary, he was much obliged to the hon. Member for having brought the subject before the House, and for the very temperate and fair spirit in which he had laid the facts of his case before the House. When a similar Motion had, a year or two ago, been brought before the House by the hon. Member for Hackney (Mr. Fawcett), he had undertaken to look into the question, with the view of seeing whether anything could be, or ought to be, done with respect to it; and he had lost no time in placing himself in communication with the various parochial authorities in order to ascertain their views. He had interviews with a number of persons connected, not only with the City, but with the parochial charities themselves, and he had spoken his mind to them very freely on the subject. In all such matters, he might add, it seemed to him to be wise, if possible, to carry with one, in any reforms which it might be proposed to make, those who were interested in the management of the property which those reforms would affect. It was not well, he thought, to come down upon them with a high hand, and to tell them that they were to be treated in a particular way. A better course to adopt was to try and induce them to join in bringing about a more satisfactory administration of the funds with which they were connected. The hon. Gentleman had alluded to the case of St. Olave Jewry; and he was happy to say that he had received from the churchwarden, the vicar, and others of that parish, a Memorial praying that a Royal Commission might be issued, in order to ascertain to what useful purpose its funds could be applied. He wished other parishes would act in the same manner; but, at all events, one had taken a step in the right direction. The matter, however, did not rest there, for he held in his hand a Memorial, very numerously and influentially signed, not by the inhabitants of any particular parish, but by persons generally interested in the City of London, in which they said that—

"The parochial charities of the City yield a very large and rapidly increasing income, which amounts, according to Returns made by the Charity Commissioners in the last Session of Parliament, to upwards of £100,000 per annum; that in many cases the charitable income of particular parishes is out of all proportion to the purposes for which these funds were originally bequeathed or acquired; for, while the income derived from these charitable estates has steadily increased, the population of the parishes has as steadily decreased, and in some is on the point of vanishing away; that the proper administration of these estates is often difficult, while the incomes derived from them are not rarely applied to purposes which it would be hard to reconcile with the intentions of those who bequeathed them, harder still to defend on grounds of public policy, even if there be no longer instances of their perversion to uses to which no charitable bequests nor trust properties can ever be properly applied. Your memorialists therefore pray that a Royal Commission may be appointed to investigate the origin of these charities, which is often involved in obscurity, to inquire into their present and make proposals for their future application. Inasmuch, however, as some of these charities were left for ecclesiastical purposes exclusively, others no less exclusively for eleemosynary purposes—bequests for education and for apprenticing and the like being included under the latter head—while some are of a mixed character, applicable in proportions not always easily ascertainable to both purposes, your memorialists are of opinion that it would be fair to all the interests concerned that it should be an instruction to the Commissioners to separate the strictly ecclesiastical from the strictly eleemosynary charities, and to divide upon equitable terms those which are of a mixed character, with a view to the formation of two separate funds—an ecclesiastical and eleemosynary fund—such funds to be applied as follows:—1. After all the churches which it shall be found expedient to retain in the City of London shall have been sufficiently provided with a fabric fund, and fund for the maintenance of Divine Worship therein, the surplus funds derived from the ecclesiastical charities shall be applied to similar purposes in the poorer parishes of the Metropolis, a preference being given to those contiguous to the City. 2. In like manner, when all charities of an eleemosynary kind within the City of which the Commission shall recommend and Parliament sanction the retention shall have been amply provided for, the surplus funds derived from the eleemosynary charities shall be applied for the furtherance of education and for the maintenance of hospitals and kindred institutions."

Now, that Memorial contained, in his opinion, a very frank confession, and the hon. Member for Hackney would, he was sure, agree with him in thinking that no time had been lost in securing a number of influential names to such a document, the first on the list being that of the right hon. Gentleman—one of the Members for the City—(Mr. Hubbard). As matters at present stood, the Charity Commissioners were quite correct in saying that they had no right to interfere with those funds except in those cases in which they were applied to by the trustees of the charities themselves; and it was not very likely that they would be able to get the trustees generally to apply. It would be difficult for the Commissioners to deal with these charities as a whole; they would have to deal with each individual charity, and that was a process attended also with considerable difficulty. He concurred, he might add, with the hon. Member for Gateshead (Mr. James), in thinking that money which had been left for the poor, for purposes either ecclesiastical or eleemosynary, ought not to be applied in aid of the poor rate; nor was he, as a rule, favourable to its application to what were called charitable doles. In all the circumstances, the Government were of opinion that there ought to be an inquiry into the charities in question; but he could not just yet pledge himself to define the precise character of that inquiry. Generally speaking, the Government thought it ought to be an inquiry by a Commission of some kind or other; the composition of that Commission, however, was a matter he must reserve for future consideration. The expense of the inquiry ought also, it seemed to them, to be borne, not by the State, but by the charity funds concerned. Shortly stated, those were the views of the Government, and he hoped they would satisfy the hon. Member for Gateshead. He could promise that there would be no unnecessary delay in appointing the Commission; but his impression was that an Act of Parliament would be required for the purpose of its appointment. If that were so, he should not wait until next Session to introduce a measure with that object, so that the matter might be taken in hand as speedily as possible. While agreeing that these funds had been misapplied in this sense—that they had been applied for purposes not originally intended, he did not want to charge the persons who had control of them with either fraud, greed, or peculation. Those were words which ought not to be used. The only real charge to which the persons concerned had left themselves open was that they had not applied to the Charity Commissioners, the latter being unable to deal with the bequests except upon such investigation. In conclusion, he hoped the hon. Member for Gateshead would be satisfied with the assurance given on behalf of the Government, and would not put the House to the trouble of a division.

MR. FAWCETT thought that the right hon. Gentleman the Home Secretary had given his promises in the most satisfactory manner possible. After the assurance which had been given by the right hon. Gentleman, he thought his hon. Friend the Member for Gateshead (Mr. James) would agree that there was no use in pressing the Motion to a division. With respect to the Memorial which had been read by the Home Secretary, he trusted the right hon. Gentleman would not beforehand fetter the discretion of the Commission of Inquiry by such an instruction as that Memorial recommended, and that the only instruction would be that the inquiry should be as thorough and efficient as possible, and that the Commission should further endeavour to ascertain how the funds could be best made to conduce to the welfare and happiness of the people of London.

SIR THOMAS ACLAND expressed his satisfaction with the course which the Government had taken. He did not understand from the right hon. Gentleman whether the Commission was to be limited to the charities of London? but he earnestly hoped that it would be extended to the whole country, because he had frequently come into contact with cases where charities might be much better applied if there was legal power to do so. One difficulty, however, in the way of the Commission, to which reference had not been made by the Home Secretary, was that, notwithstanding the admitted inutility of the existing administration of some of the charities, and notwithstanding the desire of the Governing Bodies to expand these charities, the Commissioners were expected to be bound to carry out the objects of the original endowments, if there were the means of doing so. Some of the charities were left 200 or 300 years ago; but circumstances since then had very considerably altered, and some of the charities were devoted to the education of children; whereas now they had school boards, which gave quite as good, if not better, education than was provided under the charities. The present system of education was so much altered of late, that something more was wanted besides an honest administration of obsolete foundations. He trusted that the Home Secretary would not stop short of dealing with that question. There was another question. The only power which could at present deal with the matter was that given to the Endowed Schools Commission, or that branch of the Charity Commission which took the place of the Endowed Schools Commission. With reference to the question of taking, with the consent of certain persons, local doles, and applying them to the purposes of secondary education, zealous as he was for the reformation of charities, he did not think it expedient to take doles and apply them in a way which presented to the eyes of the poor the aspect of saving the pockets of the rich. He hoped the Home Secretary would take these things into account in the constitution of the Commission, and that he would not limit the scope of the inquiry to the City of London only, or, that if he did so, it would be as a first step to a larger measure. There were a number of small charities which only tended to pauperize the poor; but which if properly directed, might be made conducive to prudence. He suggested that, if possible, these charities should be made to assist the funds of sound friendly societies.

Sir ANDREW LUSK said, he had lived long in the City of London, and a nice green pasture it had been for him. The citizens of London were honest and straightforward men, and he did not like to hear any Member of Parliament speaking of them as men whose money was their god, and whose books were their Bibles. If money were their god, and if they did not look very well after it, the men from the West would come down and take it from them. There were great difficulties in the administration of these charities. In one parish a sum of money was left to apprentice a boy to a saddler—and it so happened that there was not a single saddler in the parish—and in another there was an endowment for the burning of heretics. He denied the assertion, made by many persons out-of-doors, that a large portion of the funds went in feasting, and he assured hon. Members that in the parishes of the City of London, as a rule, no feasting went on. He believed that the results of the inquiry would be to show that the funds were being applied to good and worthy purposes, perhaps more suited to past times. The authorities of the City of London would, however, he was sure, gladly join in any change which might be suggested which would have the effect of bringing about a better state of things.

Mr. PELL thanked his right hon. Friend the Home Secretary for the straightforward manner in which he had dealt with the question. He hoped his right hon. Friend would not allow the inquiry he had promised to be extended beyond the City of London. There would be enough in the City to occupy the attention of the Commission, and any Report which they might make would apply, in a large measure, to similar cases in the country. He expressed a hope that the application of these charities would not be extended outside the walls of the City. There were two distinct populations in the City—one, a day population, which was wealthy; the other, a night population, which consisted to a great extent of paupers. He could not help thinking that the existence of the funds in question attracted people of that class to the City in the hope of obtaining a share of them; and, so far from those charities, as at present administered, being in any way of service, they were positively mischievous. Where endowed charities existed in the country, there was to be found a corresponding amount of pauperism, while the most independent and thrifty class of people were to be found in districts where very few endowed charities existed.

Sir UGHTRED KAY-SHUTTLEWORTH said, he had come down to the House prepared to support the Motion of his hon. Friend the Member for Gateshead (Mr. James); but, after what he had heard, he had only to thank the right hon. Gentleman for the satisfactory assurance he had given. The House, he thought, ought to be grateful also to his hon. Friend the Member for Gateshead for having brought the subject forward. With respect to legislation, he hoped the Home Secretary would keep in view the admirable Bill introduced by Mr. Andrew Johnston, in 1870, which seemed to lay down lines that would form a very good guide at the present time. One great difficulty would be this. The funds originally left for Christian charity should, if possible, be applied to such objects; they were applied to objects as far as possible removed from the real meaning of the word charity; and the means ought to be found, if possible, of applying those funds for the benefit of the poor persons for whose benefit they were intended. They should follow the poor who had left the City and were scattered in other parts of the Metropolis. It would be necessary to guard against a repetition of the vicious system of relieving the poor rates, or the education rates, or tithes. Some works of real Christian charity should be found to which to devote the money. He hoped the Commission would carefully consider to what sort of objects these charitable funds ought to be applied.

Mr. W. H. JAMES thanked the Home Secretary for the proposal which he had made, which was extremely liberal, and intimated his readiness to withdraw his Motion.

Amendment, by leave, *withdrawn.*

JOINT STOCK COMPANIES ACTS, 1862 AND 1867.—RESOLUTION.

MR. GREGORY, in rising to call attention to the Report of the Committee upon the Joint Stock Companies Acts of 1862 and 1867, and to move—

> "That, in the opinion of this House, further provision is required for securing the bonâ fide character of undertakings registered under and for enforcing the returns required by the Joint Stock Companies Acts,"

said, the inquiries which had been made before Select Committees upstairs, and the Reports of those Committees, showed the need there existed for legislation on the subject. Considerable evidence was given before the Committee as to the very great sufferings caused by the abuses committed under the provisions of the Joint Stock Companies Acts. Many millions sterling of paid-up capital had disappeared, no one knew where. Since 1862, 12,879 Companies had been started, with a nominal capital of £1,590,000,000. A large portion of that had been paid up and lost. No doubt, a great deal was spent in liquidations; but there remained a large sum unaccounted for. The Registrar appointed under the Joint Stock Companies Acts had given evidence before the Committee, and a reference to it would show the abuses to which the Acts were open, and the lamentable consequences resulting from them. He (Mr. Gregory) would only trouble the House with two cases as instances of them. One Company had been registered with a nominal capital of £100,000,000, of which only seven shares of £20 each appeared to have been taken, and it did not appear that even that sum had been paid up; and another to which the seven persons, whose names were registered as forming the Company, had subscribed only 1*s.* each. Then, again, there was great laxity even in enforcing the existing law. Of 12,800 Companies, formed during a period of seven years, 5,500 had failed to make the Returns required by Act of Parliament, although those Returns were very limited in their character, as there was no obligation, or any power or authority to require those Returns. The Companies at present enjoyed practical immunity in failing to make Returns. His own view was, not only that the present Returns should be enforced, but that much fuller Returns should be required, particularly in reference to the amount of money borrowed by Companies which had obtained registration. The chief remedy suggested for these abuses was that, at the time of registration, stronger guarantees of *bona fides* should be required than were now demanded; and among these guarantees was that some fixed amount of capital should be paid up before registration was granted. This course was recommended by Mr. Harding, Mr. Turquand, and Mr. Price, three of the most experienced accountants in London; and he (Mr. Gregory) thought that, if adopted, it would prevent much of the ruin that had arisen from the formation of bubble Companies. Parliament authorized these undertakings—and, therefore, the public had a right to look to Parliament for some protection. It had been said that the public ought to look after itself. If they let the public alone altogether, that would be all very well; but, when the Companies received the authority of Parliament to appear before that public, to prefer limited liability to exercise powers of sueing and being sued, and to urge the facilities for carrying on their business provided by the Acts, there ought to be some care taken in the interests of the public. It had been said that there was a sensible diminution in the amount of speculation, but he did not think that was so, because the Registrar said that last year there were formed 1,200 Companies, with a capital of £70,000,000; and, although there might be a slight diminution, he believed, that as soon as the depression ceased and trade revived, there would be a repetition of what had gone on before. This was the time to consider the matter, and to provide against the temptations that would be furnished by returning prosperity. A paper had been put into his hand relating to 44 Companies which had been formed in the town of Oldham alone, and it exhibited a most melancholy state of things; for there was not one of them that had not borrowed cent per cent from the authorized capital, and some of them had borrowed double that sum. The returns of the Companies were *nil*, their profit and loss account showed little but their indebtedness, their mills were stopping, and the unfortunate shareholders would have to subscribe the full amount of their shares in order to pay off the debts incurred. The remedies he proposed were suggested by the Select Committee—that the *bonâ fide* character of an undertaking should, to some extent, be guaranteed by the subscription of a certain proportion of the capital before the Company was launched, and the Act requiring periodical Returns should be strictly enforced. He firmly believed that, without checking or prejudicing undertakings of a *bonâ fide* character, it would have a great effect in preventing those that were not; and it would also operate against what was a gross and flagrant abuse—namely, what were known as directors' qualifications, under which gentlemen lent their names to these Companies in consideration of an allotment of shares on which they did not pay one shilling. He might be told that any remedies he had to propose should have been embodied in a Bill; but he felt that this was not a matter to be undertaken by a private Member, but was one which should be taken in hand by the Government. The hon. Gentleman concluded by moving the Resolution of which he had given Notice—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, further provision is required for securing the bonâ fide character of undertakings registered under and for enforcing the returns required by the Joint Stock Companies Acts of 1862 and 1867," —(*Mr. Gregory,*)

instead thereof—

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR HENRY JACKSON said, the point raised was, no doubt, one of great interest, for it must be within the knowledge of every Member of the House that very great abuses had resulted from the enlarged powers of forming Companies which had been originated by the legislation of the right hon. Member for the University of London (Mr. Lowe). The principle of that legislation was that persons might, by complying with certain legal formalities, form themselves into a Corporation, without being obliged to obtain a Charter or an Act of Parliament; and the consequence of the formation of a Corporation was that its funds and not its individual members were liable for its debts. No doubt this privilege, which was a great advance on the former state of things, had been abused, and considerable disaster had been occasioned to individuals; but the Limited Liability Acts were not the first under which speculators had found dupes, and what the House had to consider was whether, looking broadly at the matter, the effect of the Companies Act of 1862, which was a consolidation of the Act of 1856, with one or two later Acts, had, or had not, been beneficial? In his opinion, the result, on the whole, had been eminently beneficial. The question, whether the abuses which might happen were such as to make Parliament again interfere to prevent them by legislation, was one of great difficulty. It was, he thought, a sound principle, that a man should not be responsible for more than he agreed to subscribe. The hon. Member for East Sussex (Mr. Gregory) spoke of the liability conferred by these Acts being practically unlimited, but that was a popular and not an accurate way of stating that people sometimes contracted to pay more than they expected to be called upon to pay. If, however, a man took a £100 share, on which at first he was only asked to pay £5, he had no right to complain if he was afterwards asked to pay the remaining £95, and he had to thank the Legislature that he was not responsible to the extent of the whole of his fortune. Had he been so responsible—as he would have been under the former law—he would have appreciated the difference between unlimited and limited liability. If people would speculate they must take the consequences, and nothing which Parliament could accomplish would ever do more than create a false security by making such people trust to the law instead of their own common sense. The borrowing powers of Parliamentary Companies were limited to one-third of their share capital and the debentures of the good railways were first-class securities; but, notwithstanding this provision, there were railway debentures which were worthless. The value of an investment was determined by its intrinsic merits, not by the legislation of Parliament. Indeed, Parliamentary limitations had in many cases—as in that of the London, Chatham, and Dover Railway Company

—operated prejudicially, as they had prevented the Companies from borrowing the money necessary to complete the works required to enable them to earn dividends, and had driven them into debt, on what were termed Lloyd's Bonds, far exceeding what they would have required to borrow on more legitimate security. There was great difference of opinion in the Committee as to whether any practical good could be done by the interference of the Legislature. The minority were of opinion that to attempt to give Parliamentary guarantees would only create the same evils in a different way; and though the majority thought that something should be done, they had not favoured the House with any practical suggestions. Though, upon the whole, the operations of the Acts of 1862 and 1867 were satisfactory, yet there were points in those Acts which required amendment; and he hoped that the noble Lord now at the head of the Board of Trade, and the Attorney General, would take the trouble to read through the Report of the Select Committee and consider whether something should not be done. He had no hesitation in saying that the 38th section of the Act, which had been so fruitful of litigation, had done quite as much harm to innocent individuals as it ever did good, by protecting against imprudence. This section was one instance of a well-meaning, but unfortunate, attempt, to prevent people from the consequences of their own folly. The truth was, if the law were properly administered, it was strong enough to cope with rascality, when proved; and the more they multiplied forms and the more they induced persons to believe that they could find safety behind those forms without the exercise of their own caution and good sense, the more they opened the door to rascals, and the more they enabled scoundrels to carry on their nefarious business. The more simple the law could be made in that respect the better. It might not be without advantage to look at what was done in other countries. The difference between our law in regard to Joint Stock Enterprizes, and that which prevailed in foreign countries, consisted chiefly in this—we had full liberty to establish a Company with any amount of capital and for any conceivable purpose; while, on the Continent, they did not allow the creation of large Public Companies without the authorization of the Government. But on the Continent and in several of the States in America there was an intermediate system between Chartered Public Companies and private partnerships unknown to us. Some of the witnesses before the Committee recommended, as one means of remedying some of the scandals or absurdities of the existing system, the adoption of a class of partnerships in which the liability of members was limited, not, as here, to the sum they might agree to contribute, but by the sum in hard cash which they actually invested in the enterprize. In France, such a partnership was called *en commandite,* the manager or *gérant,* being liable to his last farthing, and the other members of the firm only to the extent of their actual contributions. This secured to creditors the certainty that they gave credit to something actually existing and tangible, and to creditors and partners alike the guarantee that the managing partner would use all due care on account of his personal responsibility; while, at the same time, it assisted enterprize by providing capital free from the perils of unlimited liability. He believed such a system, if introduced into this country, would be very considerably availed of. Up to this time the proposal had not found general favour—though many able men had spent much time in recommending it. He hoped the Attorney General would turn his attention to this subject.

Mr. D. DAVIES thought, that if Parliament passed as many measures as there were Members in the House, it would never cure the evil until the people who invested in trading Companies lost every halfpenny they possessed. This arose, not from the wickedness of Parliament, but from the wickedness of those who had the management of such concerns. There was no wonder that people who invested in them lost their money. He did not refer to banks or Railway Companies; but in iron mines, collieries, and manufactories of all descriptions, nothing was easier than to get up a Limited Liability Company. People were anxious to get 10 per cent for their money, and they put it into a limited liability company. The concern got on very well for a year or two, but the directors were not always the best principled men; they did not look to the proper working of the business, but to jobbing in the shares. No dividend was paid after the first year or two; the concern came to grief; the shares fell from £100, perhaps, to £3; the directors then bought them up, and the result was that people who had invested their all lost everything they had and died of a broken heart. No Act of Parliament, he feared, could prevent this.

VISCOUNT SANDON believed the House would agree with him in thinking that, considering the very short time he had been connected with his present Office, it would be unsuitable for him to enter into a general discussion of this important subject. The question was, undoubtedly, an important one, and affected very many of the inhabitants of these islands. He might, however, congratulate his hon. Friend the Member for East Sussex (Mr. Gregory), not only on the interesting speech which he had made, but on the important speeches which had been made on the other side. He hoped his hon. Friend would not think that the Board of Trade had entirely neglected the subject to which he had called attention. Since the Report of the Committee had been made, that Board had endeavoured to enforce proper Returns from all existing Companies which had been created under the Acts of Parliament, and had also endeavoured to obtain from the Court of Chancery Returns of the various Companies which had been ordered to be wound up; and he thought that those Returns would lead to useful action in legislation. He was glad that his hon. and learned Friend the Member for Coventry (Sir Henry Jackson) had put in a protest against over-meddling on the part of the Government or Parliament; but he very much appreciated, also, the spirit in which the hon. Member for Cardigan (Mr. D. Davies) had treated the matter, and it would be well that people should take his remarks to heart. His own feeling was that we should be exceedingly jealous about over-interference. He saw with horror the danger of too much interference, and with still greater horror, as time went on, the number of ignorant people, and of people less ignorant, who thought, owing to Government interference, that the State was taking the whole responsibility on its own shoulders of seeing that commercial undertakings were sound, and that they need not trouble themselves about the matter. For his own part, it would be his duty, and also his pleasure, to read the evidence of the important Committee which sat last year, and to consider carefully their Report; and he would not fail to turn over in his mind the suggestion of the hon. and learned Member for Coventry with regard to what was going on in France. Of course, he could give no pledge whatever as to what the Government would do in regard to future legislation; but he would consider the whole subject carefully, and he trusted his hon. Friend who had brought forward the subject would be content with what had passed.

Question put, and *agreed to.*

Main Question proposed, "That Mr. Speaker do now leave the Chair."

PRIVILEGES OF THE HOUSE.

OBSERVATIONS.

DR. KENEALY said, that he had to move the following Resolution:—

> "That it is a high Breach of the Privileges of this House to obstruct the freedom and independence of Members of Parliament in putting questions to Ministers, upon their responsibility as representatives of the people, and in the discharge of their public duty, such questions being framed in decorous language, and having for their object to elicit information on matters of public interest."

He need hardly say that he did not mean to move this Resolution in a spirit of hostility to anyone. But he thought it right, being himself a sufferer by the practice of which he complained, to elicit some opinion from the House on a matter which, in the words of his intended Resolution, affected "the freedom and independence of Members of Parliament." In the course of last Session, he put a Question to the Home Secretary, with reference to a woman named Mina Jury, who was one of the most important witnesses in the trial of the Tichborne case. A statement reached him that she was a convict in 1847, and all knew that she was convicted for robbery in 1875. He asked the Home Secretary, whether the person convicted in 1875 was the same as was convicted in 1847? and the right hon. Gentleman assured the House that she was not. That occurred in August, and in the September following there was a trial, and a Superintendent in Scotland Yard, who had been appointed to find out the antecedents of Mina Jury—

Notice taken that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at Seven o'clock till Monday next.

HOUSE OF LORDS,

Monday, 13*th May*, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Adulteration of Seeds Act (1869) Amendment* (79); Bills of Sale* (80); Public Works Loans* (81); Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation* (82); Local Government Provisional Orders (Abingdon, &c.)* (83).

Third Reading—Railway Returns (Continuous Brakes)* (75), and *passed.*

MILITARY FORCES OF THE CROWN—EMPLOYMENT OF INDIAN TROOPS.

NOTICE.

EARL GRANVILLE, on behalf of Lord SELBORNE, gave Notice that on Thursday, the 16th, he would call attention to the question, whether the Indian troops excepted from the Vote recited in the Preamble to the Mutiny Act can, consistently with Constitutional Law, be employed during time of peace elsewhere than in Her Majesty's Indian Possessions without the previous consent of Parliament?

EMPLOYERS' LIABILITY FOR INJURIES TO THEIR SERVANTS.

QUESTION. OBSERVATIONS.

EARL DE LA WARR, who had given Notice to call attention to the Report from the Select Committee on Employers' Liability for Injuries to their Servants—communicated from the Commons to the Lords—said, that the noble Earl who represented the Home Office in that House informed their Lordships, before the Easter Recess, that a Bill was in course of preparation by Her Majesty's Government with reference to the liability of masters for injuries to their servants. Considering the great importance of the question, and the number of persons who were interested in it, he was anxious to ascertain what progress had been made in the preparation of the measure; whether it would be first introduced into their Lordships' House, and the probable time when it would be submitted to their Lordships?

EARL BEAUCHAMP said, that the Attorney General had promised before the Recess to introduce such a Bill into the House of Commons as speedily as possible. He (Earl Beauchamp) was sorry he was not able to say in what state the Bill now was, or when it would be introduced into the Lower House; neither could he state when it was likely to reach their Lordships' House.

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 13*th May*, 1878.

MINUTES.]—NEW MEMBER SWORN—Hamar Alfred Bass, esquire, *for* Tamworth.

SELECT COMMITTEE—Poor Law Guardians, &c., Mr. Hanbury *re-appointed.*

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES, Class II.—Committee—R.P. *Resolutions* [May 9] *reported.*

PUBLIC BILLS—*Resolution in Committee*—*Ordered*—Consecration of Churchyards Act (1867) Amendment*.

Second Reading—Gas and Water Orders Confirmation* [153]; Tramways Orders Confirmation (No. 2)* [152].

Second Reading—*Referred to Select Committee*—Tramways Orders Confirmation (No. 1)* [151].

Committee — Sale of Intoxicating Liquors on Sunday (Ireland) [44]—R.P.

Third Reading — Customs and Inland Revenue [146], and *passed.*

ORDERS OF THE DAY.

Ordered, That, after the Order of the Day for the Third Reading of the Customs and Inland Revenue Bill, the House will resolve itself into the Committee of Supply.—(*Mr. Chancellor of the Exchequer.*)

QUESTIONS.

COLONEL WELLESLEY.—QUESTION.

MR. BENETT-STANFORD, who had given Notice of his intention to ask the Under Secretary of State for Foreign Affairs Questions as to the appointment of Colonel Wellesley to be First Secretary of Embassy at Vienna, said, that in consequence of a letter he had just received from the hon. Gentleman, stating that he was too poorly to be in the House, he would put those Questions to the Chancellor of the Exchequer.

THE CHANCELLOR OF THE EXCHEQUER: I am perfectly prepared to answer the Questions now.

MR. BENETT-STANFORD asked the Under Secretary of State for Foreign Affairs, Whether it is true that Colonel Wellesley, an officer of the Coldstream Guards, has been appointed First Secretary of Embassy at Vienna over the heads of 95 diplomatic servants of the Crown, many of whom are well tried public servants, who have served their Country in different quarters of the globe for many years; whether he is the same Colonel Wellesley who was referred to in a Debate of July 9th last Session as having been placed over the heads of 900 Majors of the Army, many of whom had seen varied and active service, while he had never been employed out of England; whether he is the same Colonel Wellesley who had personal differences with the Grand Duke Nicholas of Russia last year, while employed as Military Attaché to the Russian Army in Roumania; and, supposing this to be the case, whether he can give any explanation of the appointment?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I very much regret that my hon. Friend the Under Secretary is confined to his house by indisposition today. He has sent me this communication—

> "Colonel Wellesley has held a diplomatic appointment for several years, in the discharge of which he has, in the judgment of Her Majesty's Government, displayed remarkable skill and tact. He appeared to them to be better qualified for the duties of the secretaryship at the Court in question than any other person at their disposal, and for that reason he was appointed. Promotion in the diplomatic service is not bound, as the hon. Gentleman appears to imagine, by any strict rule of seniority. The following is from one of the rules made by Lord Granville in 1873, in accordance with the recommendation of the House of Commons' Committee of 1871:—
>
> "'Rule 18 of Regulations for Her Majesty's Diplomatic Service.—Generally, in regard to all promotions whatever in the Diplomatic Service, the Secretary of State will not be restricted by claims founded on seniority of membership of the profession from making any such selection as, on his own responsibility, he may deem right.'"

MR. BENETT-STANFORD: After the unsatisfactory answer I have received, I beg to give Notice that I will take the earliest opportunity of bringing this appointment before the House.

PRISONS ACT, 1877—THE REGULATIONS.—QUESTION.

MR. E. JENKINS asked the Secretary of State for the Home Department, Whether it is true, as stated in the public journals, that debtors under detention in prison are compelled by new regulations purporting to have been issued under the Prisons Act, 1877, to eat their meals and keep the surplus food in their cells; pass 21½ hours out of 24 in solitary confinement; that they are allowed only 2½ hours for exercise, the prisoners being marched out into a yard and kept at a distance of ten or twelve paces from each other, so as to prevent talking, and warders are stationed at convenient spots to see that the rule of silence is observed, the debtors in effect being almost treated as criminal prisoners; and whether these rules are to be relaxed?

MR. ASSHETON CROSS, in reply, said, he had heard that some of the recent rules had unfortunately been misinterpreted in some of the prisons, and that the consequence had been that some of the gaolers thought that an alteration had been made in the previous practice. On hearing these complaints, one of the Commissioners went down, and explained what the rule was intended to convey. Since then there had been no further complaint.

THE PARIS EXHIBITION—GOVERNMENT WORKMEN.—QUESTION.

MR. E. JENKINS asked the Secretary to the Treasury, Whether it will be possible to arrange to afford any workmen in the various Government departments, who desire to visit the Exhibition at Paris, a short leave of absence for that purpose?

SIR HENRY SELWIN-IBBETSON, in reply, said, the matter really rested with the heads of the various Departments. The Treasury would make no objection, if arrangements were made for the work of the absentees to be discharged by others. The Treasury, however, had no control over the Departments in these matters.

ROUMANIA CUSTOMS TARIFF.

QUESTION.

MR. SERJEANT SPINKS asked the Under Secretary of State for Foreign Affairs, What progress, if any, has been made in the negotiations alleged to have been entered into with Roumania for prolongation to the close of the present year of the existing Customs tariff on British goods imported into that country, so as to protect such goods from the onerous and almost prohibitory duties which would be imposed upon them after the 13th of May if no such prolongation be agreed upon?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I understand that the intelligence has been received to-day that the Roumanian Chambers have authorized the Government to extend for three months the most favoured nation clause to goods imported from countries which have not yet concluded Commercial Treaties with Roumania.

ARMY—MARRIED SOLDIERS.

QUESTION.

MAJOR O'BEIRNE asked the Secretary of State for War, If it is contemplated, since the introduction of the system of enlistment for short service, either to modify or abolish the penalties and disadvantages that non-commissioned officers and soldiers of good character are subject to for marrying without leave?

COLONEL STANLEY, in reply, said, that no penalty, as the hon. and gallant Member appeared to suppose, attached to soldiers marrying; but the number who were allowed quarters and rations in barracks by regulations had been restricted to 4 per cent of the strength of the regiment within a comparatively recent date. He was not prepared to suggest any alterations in the present regulations.

THE MILITARY FORCES OF THE CROWN—NUMBERS.—QUESTION.

SIR HENRY JAMES asked Mr. Chancellor of the Exchequer, What is the number of the forces at present employed for the safety of the United Kingdom and the defence of the Possessions of Her Majesty's Crown, including those to be employed at the depôts of the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the number actually serving within Her Majesty's Indian Possessions; and whether, by the addition of the Native troops which it is proposed to remove from India, the number of forces so employed will exceed the number authorized by Parliament, viz., 135,452 men?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Native Indian troops of Her Majesty are not, and never have been, reckoned in the numbers mentioned in the Mutiny Acts. The Native Indian troops recently ordered to Malta are not, and ought not to be, reckoned in the number mentioned in the Mutiny Act of the present year. The number of the Forces mentioned in the Mutiny Act of this year is 135,452 men. This is an Establishment separate from that of the Indian Native troops, and on this Establishment the present number is 136,167 men, being 715 over the authorized Establishment; but that is accidentally owing to the fluctuations in recruiting, which I believe are constantly occurring. This is exclusive of the Reserves recently called out, which are added to the Establishment by the operation of existing Acts of Parliament. These are about 35,000 men.

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT—PAY OF OFFICERS.—QUESTION.

SIR HENRY HAVELOCK asked Mr. Chancellor of the Exchequer, with reference to the movement of Indian troops to Malta, Whether it is the fact that the Officers Commanding Indian Regiments of Cavalry and Infantry, being entitled to Indian rates of pay wherever they serve, will be receiving at Malta some £1,700 a year each, or rather more than four times the rate of pay drawn by the Lieutenant-Colonels of British Regiments serving side by side with them; whether the number of British Officers of these Indian Regiments, being, on the Indian establishment only seven officers each, had not been increased, as on all previous occasions of their embarking for service out of India, up to from fourteen to sixteen officers each; and whether each of those officers, even the junior wing subaltern, will not receive, on Indian rates, as high an amount of pay and allowances as the Lieutenant-Colonels Commanding British Regiments in the same garrison?

Colonel STANLEY: Sir, perhaps I may be allowed to answer the Question of the hon. and gallant Gentleman. The officers commanding Cavalry and Infantry Indian regiments at Malta will receive—the former about £1,836 a-year, and the latter £1,716. The pay and allowances of lieutenant-colonels commanding English Infantry regiments are about £564, and that of English Cavalry regiments about £698. The number of English officers in these Indian regiments has been increased, not to the extent which the hon. and gallant Gentleman assumes in his Question, but to the same extent as in the case of the Abyssinian Expedition—namely, one combatant officer and one doctor, making, I think, a total of eight combatant officers and two doctors. Assuming that the junior wing-officer of an Infantry regiment is a subaltern—which, I am bound to say, is not always the case—he would draw £396 a-year, as against £564, which, as I have stated, is the pay of an Infantry colonel of an English regiment.

ARMY—THE MILITIA—COMMISSIONS IN THE LINE.—QUESTION.

Colonel NAGHTEN asked the Secretary of State for War, Whether Officers commanding Militia Regiments are entitled to recommend the name of an Officer for a commission in the Line for every hundred Reserve men furnished to the Army from their Regiments, in compliance with War Office Letter, 16th April 1870?

Colonel STANLEY: Sir, when the Circular Letter to which the hon. and gallant Member refers was issued, the Purchase system was still in operation. A large number of Army Commissions are now annually given to Militia officers, and the Circular in question must be taken as being practically superseded. Since 1873, I may add, that upwards of 800 Commissions have been given, which exceeds the proportion to which Militia regiments would be entitled under the Circular.

LOCAL TAXATION.—QUESTION.

Sir GEORGE CAMPBELL asked the Secretary of State for the Home Department, Whether he has yet arranged for the supply of information regarding Local Taxation indebtedness and Government for Scotland, similar to that supplied for England and Ireland?

Mr. ASSHETON CROSS: Sir, on this subject a Commission has been appointed by the Treasury, under the Presidency of the right hon. Gentleman the Member for Pontefract (Mr. Childers), with the view of arranging some uniform system for all parts of the United Kingdom, and of eliciting such information as the hon. Member requires as to the local taxation and indebtedness.

PRISONS ACT, 1877—GOVERNORS OF GAOLS.—QUESTION.

Sir JOSEPH BAILEY asked the Secretary of State for the Home Department, Whether the new arrangements with regard to gaols necessitate the immediate compulsory retirement of certain governors of gaols still able to discharge their duties; and whether the burden of their superannuation would fall upon the counties or boroughs served by the officers selected to be discharged, or whether under such special circumstances it will be charged on the general taxation of the country?

Mr. ASSHETON CROSS, in reply, said, that 37 gaols had been closed, and, of course, a good many gaolers must have been thrown out of employment. As far as possible, those whose services were most valuable had been transferred to other gaols. With regard to those gaolers who had to leave the service, the actual pension would no doubt have to be paid out of the local rates; but the Treasury would take upon itself, under the Act of 1877, all that which was due to compulsory retirement.

NOXIOUS VAPOURS COMMISSION—THE REPORT.—QUESTION.

Colonel BLACKBURNE asked the President of the Local Government Board, Whether he is now able to name the time when the Report of the Royal Commission on Noxious Vapours will be laid upon the Table of the House?

Mr. SCLATER-BOOTH, in reply, said, he had communicated with the Chairman of the Commission, but was unable to state when the Report would be laid on the Table.

ARMY—FAMILIES OF RESERVES.

QUESTION.

MAJOR NOLAN asked the Secretary of State for War, If he intends to make any permanent or temporary addition to the separation allowances granted to the wives and children of the men of the Army and Militia Reserves who have been lately summoned to the Colours?

COLONEL STANLEY: Sir, in answer to the hon. and gallant Member, I have to repeat what I stated the other day, that I have received as yet no complaint whatever from the persons who are concerned, though individual members of Boards of Guardians have written to me, officially and otherwise, on the subject. The question of any increase is a very large one, and it affects not only the Army Reserve men, but raises many other questions in connection with similar services. I felt myself bound, therefore, to consult with certain of my Colleagues as regards this measure. I do not think it would be possible, with a sudden summons, such as that which the Army and Militia Reserve men have received, altogether to avoid hardship in particular cases; and I cannot suggest any system of Government grants which would render cases of hardship wholly impossible. It must be remembered that this is part of the contract under which the men have been receiving their Reserve pay; and, taking it in connection with the fact which I have already mentioned, that there has been no well-founded complaint brought to light, I have not thought it consistent with my duty to recommend any increase, under present circumstances.

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT—THE ESTIMATE.

NOTICE OF RESOLUTION.

THE MARQUESS OF HARTINGTON: Sir, I rise to ask Mr. Chancellor of the Exchequer the Question of which I gave Notice on Thursday last—namely, Whether he can state when the Estimate for the expense of the movement of Indian troops to Malta will be laid on the Table, and when the Government intend that the House should take that Estimate into consideration? I may, perhaps, also take this opportunity of saying that, in consequence of the answer just given by the right hon. Gentleman to my hon. and learned Friend the Member for Taunton (Sir Henry James), it is my intention to move on an early day a Resolution, as to the exact wording of which I do not now bind myself, but of which I will read the general bearing—namely—

> "That no Forces may be raised or kept by the Crown in time of peace, without the consent of Parliament, in any part of the Dominions of the Crown, excepting only such Forces as may be actually serving within Her Majesty's Indian Possessions."

THE CHANCELLOR OF THE EXCHEQUER: Sir, we are endeavouring to obtain the information which is necessary to make the Estimate, we shall have to lay on the Table, as perfect as it can be. I am not able to name an early day for its discussion, but I would propose this day fortnight—Monday, the 27th—for the purpose, if the noble Lord thinks that would be a convenient time; and perhaps that day could also be taken by him, if he thinks fit, for moving the Resolution of which he has given Notice.

MR. CHAMBERLAIN: According to Notice, I beg to ask Mr. Chancellor of the Exchequer, Whether he can give me any facilities for the discussion of the Resolution on the Eastern policy of the Government, the terms of which I have placed on the Notice Paper?

CAPTAIN PIM: Before my right hon. Friend answers that Question, I should like to ask him another, of which I have given him private Notice—Whether his attention has been called to the resolution passed by acclamation at a crowded meeting of Scottish working men at Edinburgh on the 30th ultimo, as follows?—

> "That this meeting hails with satisfaction the Circular of Lord Salisbury, as a sure indication that the honour of the nation is safe in the hands of the Prime Minister, and gives Her Majesty's Government due credit for maintaining, with much patience and forbearance, the policy determined upon after the solemn assurances of the Czar," to allay apprehensions, "which were published at his own request in *The London Gazette* of the 26th of November, 1876; this meeting is also of opinion that every loyal subject should rally round the Government, in order to maintain the good faith, the material interests, the power, the very safety of the Empire, now endangered by the Treaty of San Stefano;"

and, whether, seeing that the Motion

now on the Notice Paper (International European Congress) in the name of the hon. Member for Gravesend, is the result of that Edinburgh meeting, he will afford any facilities for the early discussion of that Motion?

Mr. M'LAREN asked the hon. and gallant Member for Gravesend (Captain Pim), Whether the meeting which he had described as consisting of the working men of Edinburgh was not a meeting merely of Conservative working men?

MR. SPEAKER: I have to point out that the Question of the hon. Member for Edinburgh cannot be put, as it does not relate to a Bill or Motion before the House.

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Question of the hon. Member for Birmingham (Mr. Chamberlain), and also that of my hon. and gallant Friend (Captain Pim), will, I think, be best answered by a reference to the Notice which has been given by the noble Lord the Leader of the Opposition. I apprehend that the Motion, of which the noble Lord has given Notice, would be one to which it would be the duty of the Government to give the earliest day consistent both with the convenience of the House and with the interests of the public service. I have suggested to the noble Lord this day fortnight; but if the noble Lord thinks an earlier day is important, I will endeavour to arrange for offering him one. I fear that it is not possible for me to give the hon. Member for Birmingham what he desires.

MR. NEWDEGATE said, he had understood the Chancellor of the Exchequer to state that the Reserve was now 35,000 men. He wished to ask, Whether those 35,000 men were to be included in any Estimate?

COLONEL STANLEY: Sir, perhaps the hon. Gentleman will allow me to answer that Question as well as I can without Notice? These men are already included in the numbers as far as this—that they appeared under the head Army and Militia Reserves in the Estimate of the year. Of course, when the Estimate was prepared, those men were not in the position they are in now. Although I did not happen to be in the House when the Chancellor of the Exchequer made his Financial Satement, yet I thought my right hon. Friend distinctly stated the fact that a Supplementary Estimate would have to be taken for certain Army Services, which would include the Reserve. The Army and Militia Reserve Acts contained specific provisions as to those Forces.

THE MARQUESS OF HARTINGTON: Sir, with reference to what has fallen from the Chancellor of the Exchequer, as to the day which he was good enough to offer for the consideration of the Resolution of which I have given Notice, I think it would be best that I should have a short time for consultation both with my own Friends, and, perhaps, also, if he will allow me, with the right hon. Gentleman himself; and I have no doubt that the arrangement, as to the day, will be communicated to the House in the course of to-morrow. A word or two fell from the right hon. Gentleman which, I think, might possibly lead to misapprehension. The right hon. Gentleman seemed to suppose that the Motion, of which I have given Notice, would necessarily replace that of which Notice had been given by the hon. Member for Birmingham (Mr. Chamberlain). Now, I wish to point out that my Motion and the Resolution of the hon. Member for Birmingham are of an entirely different character. The Motion of that hon. Member calls in question, as I understand it, the policy of the Government, not only in reference to the despatch of Indian troops, but in regard to several other matters. I express no opinion whether it is desirable or not that such a Resolution should be brought forward at the present time. I wish to point out that my Resolution expresses no opinion whatever as to the policy of the measure, but merely raises a Constitutional point as to the manner in which that measure has been taken by the Government.

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL—THE 23RD CLAUSE.

QUESTION.

MR. MELLOR asked Mr. Chancellor of the Exchequer, Whether, considering the great interest taken in all parts of the kingdom with regard to the Bill now before the House for the repeal of the 23rd clause of the Poor Law Amendment Act, he would give facilities for obtaining a day for its consideration?

The CHANCELLOR of the EXCHEQUER: Sir, I am perfectly aware of the interest which that Bill excites, and I should be glad to see it brought forward and discussed. But it is not in my power to offer my hon. Friend any Government time for the discussion of it. Perhaps, by looking at the Notice Paper, he may find a day — perhaps Friday, the 31st May.

ORDERS OF THE DAY.

CUSTOMS AND INLAND REVENUE BILL—[Bill 146.]

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson.*)

THIRD READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [9th May], "That the Bill be now read the third time."

Question again proposed.

Debate *resumed.*

Mr. HUSSEY VIVIAN said, one of the grounds on which he had moved the Adjournment of the Debate on a previous night was his belief in the illegality of the action of the Government in bringing the Indian troops to Europe. He was confirmed in that view by reference to the opinions of high legal authorities expressed in previous Parliamentary debates. He need not, however, pursue a subject which would be fully discussed on the Motion of which the noble Lord had just given Notice. Another ground for his Motion had been his belief, that the conduct of the Government in not communicating to the House at the earliest possible moment their intention to move Indian troops to Malta, ought seriously to engage the attention of the House. He felt that a slight had been put upon Parliament. It was evident that at the time when the Chancellor of the Exchequer made his Financial Statement, he was aware that the Government had decided on bringing over those troops, and that that operation would cost a good deal of money. The House had been told that the Government had at that time accepted the measure in principle; but it seemed likely that it had been meditated fully a week before. That view was borne out by the circumstance that, on March 28, Lord Derby said—

> "The Cabinet have arrived at certain conclusions which, undoubtedly, are of a grave and important character, and in the measures which they propose I have not been able to concur."

Those words had been used a week before the Budget Statement was made, and it had been generally thought on that side of the House that Lord Derby, in speaking of conclusions and measures in the plural, had wished to indicate that his resignation was not entirely due to the calling out of the Reserves. It was true that when the Prime Minister rose, he attributed, with the adroitness of which he was master, the noble Lord's resignation solely to the calling out of the Reserves, many hon. Members of the House of Commons who were present, and who had watched the course of the Prime Minister in former days when he was in the Lower House, were not misled by this. If there was any grave measure decided on involving the expenditure of money, the House had a right to expect that it should be made a party to it. Nothing concerned the House more nearly than financial measures, and yet a week after this important decision had evidently been taken by the Government, the Chancellor of the Exchequer had made no provision for the expense which was about to be incurred. He had read with the greatest attention the speech of the right hon. Gentleman in introducing the Budget; but he could not see any intimation of the most indirect kind that it was intended by the Government to ask for further Supplies. The Chancellor of the Exchequer undoubtedly stated that the Naval and Military Departments had committed themselves to an expenditure beyond that which had been brought into the Vote of Credit, and that a considerable sum would have to be provided for the calling out of the Reserves; but he never intimated—what must have been in his mind at that time—that the Government intended to bring over Indian troops to this country. He made no statement with respect to that proposal to the House, and he made no provision for the necessary outlay. That was so serious, that he could not let this Bill pass its third reading and let it go forth to the country that no one came forward to challenge such a course. The Government, in fact, had taken, in reference to the matter, the most high-handed course he had ever known—that of bringing over troops from a foreign country. ["No, no!"] Not a foreign country! What was it, then? These troops were not within the control of Parliament; they were not within the Mutiny Act; and they were not voted by this House. He would advise hon. Gentlemen opposite, who were so willing to accept the bringing over of these troops, to look back upon the debates of 1775, and see what course their Predecessors—the country Gentlemen of that day—took. A Tory Government was then in power. Lord North was in the height of his power; it is recorded that he treated the question with unbecoming levity; but the course taken by the country Gentlemen convinced him that he would not be allowed to have his own way. They separated from his Party, and forced him to bring in a Bill of Indemnity, for they knew well how to uphold the rights and honour of Parliament. Into the legality of the question he would not enter. That was a question which would be debated hereafter; but the Government, at any rate, had pledged the House to an expenditure which it must vote, or he did not know how the money was to be found. Suppose the House was to refuse this Supply, which had been illegally incurred—and they would find the greatest Constitutional lawyers of past days said that such expenditure had been illegally incurred—who was to pay? In the first instance, the Indian Revenue was to advance the money. Would the hon. Member for Hackney be satisfied that the Indian Government should pay the money? Would it come out of the pockets of Her Majesty's Ministers? Lord North had no hesitation in agreeing to introduce his Bill of Indemnity, because he said it would tend to keep his head on his shoulders. Now, the heads of those right hon. Gentlemen whom he saw opposite to him were not, he imagined, at the present moment in danger; but were their purses? They had brought troops from India without the consent of Parliament, and if Parliament did not provide the money required, who was to pay it? No doubt, the Government relied on their majority; and it was true they had at their back a majority who followed them generally with the same simplicity as a flock of sheep followed their leader. They could not, however, always count on that; and, certainly, if he and those who sat around him on the Opposition benches were upon the other side of the House, the front bench would not have dared do such things; for there was in the Liberal Party that independence which would have turned its Leaders out of Office without the smallest hesitation if they had violated the Constitution in the way in which he believed it had been violated in the instance to which he was referring. He was delighted to hear the hon. Member for North Warwickshire (Mr. Newdegate)—one of the true Constitutionalists in the House—behind their backs—[*Laughter*]—well, not behind their backs, but as one of their supporters who sits behind them—criticize the action of the Government from a constitutional point of view. It was worthy of him, and just what they might expect from one who really valued the Constitution. If this money were to be found, it must be by increasing taxation, or by adding to the Debt; and he should like to know which course it was intended to pursue? They were now voting the third reading of the Bill that provided the Ways and Means of the year, and yet they had an indefinite amount of expenditure before them which had been in no way provided for by the Government. Was it not, he would ask, a monstrous position in which the House was thus placed? It was a position which the House, to his knowledge, had never before been called upon to accept. Was the necessary outlay to be met by taxation, or by increasing the Debt? That was a question to which the House was entitled to have an answer before it passed the third reading of the Bill. Not only was this matter not brought before Parliament at the proper time, when it was considering the financial position of the country, but no communication was made for a fortnight afterwards, although the House sat for 12 days—from the 4th to the 16th—after the Budget was brought in. For 12 days the House was kept in ignorance; but, on the 17th, the day after Parliament rose, this matter was communicated to the newspapers. Was that, he would ask, a proper mode of dealing with Parliament? He regretted that the Prime Minister was not in the House, because, if he were, he (Mr. Vivian) should use terms of a much more unmeasured character with regard to this proceeding. His own belief was that the Government was under the glamour which his Eastern mind cast over them. He did not see in their action anything of the Anglo-Saxon mind. There had been a want of frankness, a want of candour—another word rose to his mouth, but he would not utter it—a representing of the objects in view in one way when they should really be represented in another. That did not impress him with the reverence for British statesmanship which he had always desired to entertain. They had sent the British Fleet into the Sea of Marmora with a lie in its mouth—was a British Fleet ever sent anywhere with a lie in its mouth before? They said that they sent it through the Dardanelles for the purpose of protecting the lives and property of British subjects; but no one would dare to state now that such was its object. Why did they not come forward to state the real purpose for which it was sent there? They sent it there so that they might assert their right to a voice in the settlement of the Eastern Question. He did not agree in the course taken. It was an act of blustering and swashbucklering; but when they did it, why did they not come forward and speak out their minds? Then, look at the question of the Vote of Credit. The Government said they wanted it to give them strength in the Congress; but we now knew what their views about the Congress were. A very small question had arisen; he, at least, thought it a very small point, and so did the rest of Europe; but it had prevented the meeting of Congress, and no one knew whether it would ever meet. There was not a single Power in Europe which agreed with the British Government in the objections they had taken.

MR. C. BECKETT-DENISON rose to Order, complaining that the hon. Member was not addressing the Chair.

MR. HUSSEY VIVIAN said, he had not taken part to any extent in the debates of that House, but he had sat long in that House; and he thought he knew the Rules. They were told that none at all, or only a very small portion, of the £6,000,000 would be expended; but a large part of it had been spent in warlike preparations. He could not understand how anyone was justified in spending such a large extra sum of money in warlike preparations, unless they thought war must ensue. He would not attempt to go into the general matters of the Eastern Question; but he would say again that he thought the Government would tender him their thanks, or ought to do so, for affording them an opportunity of explaining the course which they had taken on this occasion. He implored hon. Members opposite not to be led away by any Party motive to support measures which were opposed to the best interests of the country. He had no object to serve, so far as Party was concerned; but he prayed hon. Members to consider the responsibility of employing Indian troops within the dominions of this country—in Gibraltar or in this Kingdom. By the action of the Government, and by the concealment of their action, they had involved Parliament in a great expenditure, without its consent. That course was unconstitutional and illegal, and a slight had been cast on hon. Members on both sides; and it behoved the Government, on the earliest possible occasion—the present time—to explain to Parliament why it was that they did not communicate to Parliament at the time they came to the resolution, that it was their intention to bring over the Indian troops, and why they did not include the expenditure in their Budget.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am not aware whether it is the desire of the House at present to enter into a full discussion of this question; but I feel it necessary to rise at once, after the observations which have fallen from the hon. Member for Glamorganshire (Mr. H. Vivian), to make some statement with respect to the points to which he has called attention. I wish to bring under the notice of the House the very peculiar way in which the hon. Gentleman has raised this matter. There are two distinct questions that may be considered. There is, in the first place, the most serious and important question whether, in advising Her Majesty to order the despatch of troops from India to Malta without the previous approval or consent of Parliament, we have been guilty of a breach of constitutional propriety. If we have so offended, there can be no doubt at all that we have incurred a grave responsibility, and that the matter is one which ought to be fully discussed and decided by Parliament. Notice has been given this afternoon of the intention to challenge our course upon this matter; the hon. Member for Hackney (Mr. Fawcett) also intends to raise the question; and there can be no doubt that it is the right and duty of Parliament to discuss the course which has been pursued, to put the Government upon their defence, and to have a clear understanding whether what has been done has or has not been constitutionally right? But my hon. Friend the Member for Glamorganshire does not desire to raise that question at present; and I think, therefore, that it may be more convenient to argue it on a future occasion. It is not, I think, for the convenience of the House, that it should be discussed upon the third reading of a Customs Bill, upon which it is impossible to take the sense of the House upon the grave issue that has been raised. It will certainly be more convenient to reserve it until the Supplementary Estimate is brought forward, or until a direct Motion on the subject is made. Then, there is what may be called the subordinate question—namely, whether, assuming that the course which has been taken has not been unconstitutional, the Government are not still to blame for not having, as a matter of frankness and respect towards Parliament, and also on the ground of public convenience, made known their intentions at the time the Budget was brought forward? As I understood the hon. Member, it was this second question alone that he desired to raise. If so, the course he has pursued has been a most inconvenient one; for, while professing not to argue the question whether the measure adopted by the Government has been constitutional or not, he has, throughout his remarks, assumed that it was unconstitutional. Of course, if we are to assume with him, that we have been acting unconstitutionally, and taking a step which subjects us, if not to the loss of our heads, at least to an enormous pecuniary penalty, surely it is scarcely worth while to consider whether we have been wanting or not in courtesy? The major offence is one that entirely overrides the minor. If the hon. Member wished to challenge us upon the comparatively narrow ground of the financial effect of our policy, he should have abstained from complicating his statements with some of the general remarks he made upon our course and policy. He should have abstained from raising a question as to the ground upon which the Fleet was sent to the Sea of Marmora, which is really a part of the larger question of our general foreign policy. I will not follow him into this part of his speech; but I must emphatically repudiate and condemn his statement, that the Fleet was sent into the Sea of Marmora with what he is pleased to call a "lie in its mouth." When we come to discuss that question fully, I shall maintain that the grounds on which the Fleet was sent into the Sea of Marmora were truly stated. That there have been changes in the situation, that varying circumstances have rendered it necessary for us from time to time to take steps and contrive measures which were not previously contemplated, is perfectly true. That is a part of the history of the whole of these diplomatic transactions, and can only be properly considered in connection with the subject as a whole. Such statements as that to which I have referred can only be made for the purpose of prejudicing the House. I must also challenge the extraordinary doctrine laid down by the hon. Member, that no nation is justified in expending money in warlike preparations unless it intends going to war. If that doctrine were correct, we should be very great sinners indeed; because, whether wisely or not, we have certainly been proceeding throughout upon the principle that it was our duty and our highest policy to spend money on warlike preparations in order to secure peace. Having said these few words, which have been forced from me by the remarks of the hon. Member for Glamorganshire, I will now come back to the point upon which the House has a perfect right to demand an explanation—namely, why it was that I did not make any statement to the House at the time the Budget was introduced, or in the course of the 12 days that elapsed between the introduction of the Budget and the rising of the House for the Easter Recess? If I am asked why I made no reference to this matter in the Budget speech? my answer is simple—because I was not in a position to do so; because it could not be said that the measure had been determined upon in such a manner as would enable me to present anything whatever in the nature of an Estimate to the House. It will be convenient for me to mention one or two things. It was on the 27th of March that the principle of calling upon a certain number of the troops from India to go to a Mediterranean garrison was considered by the Cabinet and was accepted in principle by the majority of the Cabinet. On that Wednesday, the question, being then put in a general and broad form, was discussed in the Cabinet and was accepted by the Cabinet, and that was the last meeting of the Cabinet attended by my noble Friend Lord Derby; and on the 28th—on the Thursday—his resignation was placed in the hands of Her Majesty. As soon as Lord Derby had resigned, there were changes necessary in the various Departments, and those changes affected two Offices particularly concerned in dealing with this question—the War Office and the India Office; and it was not for two or three days that these appointments were finally made, and that the present Secretary of State for War entered upon his duties, and that my noble Friend (Lord Cranbrook) went to the India Office. They undertook their Offices when the decision had been taken that in principle the calling of the troops from India was a measure that it was desirable and right to take. But, between the decision that the measure is right in principle, and that it is to be adopted, the House will perceive there is a considerable interval—and it was the bounden duty of my two right hon. Friends to consider, very carefully, the possibility of giving effect to this decision—the mode in which, the extent to which, and the time at which, effect should be given to it. For that purpose, it was necessary they should enter into communications, not only between themselves, but with the Government of India; and so it was that, at the time I made the Budget Statement in this House—the 4th of April—though, of course, I was aware that the measure was approved in principle, I could not have said—if I had been questioned upon it—whether that measure would or would not come to be adopted in practice at all. I could not have said that the difficulties in discussing details would be overcome. In fact, the communications were then going on; and it was not until the 12th of April—as late as that—that the first telegram was sent from this country to India authorizing any preparation whatever to be undertaken. That telegram was this. It was from the Secretary of State for India to the Government of the Viceroy—

> "Preparation for sea transport sanctioned. Malta is the destination of Native troops to be sent from India."

That was the first authority given, and that was given on the 12th of April. On the 16th of April the Viceroy telegraphed that the troops had been detailed for embarkation, and that the necessary orders had been given. Of course, communications had been going on; but it was not until the 12th of April that any orders were given authorizing the spending of any money, and it was not until some days afterwards that the final orders were given. Now, the questions which we must put to the House, and the questions which hon. Members ought to ask themselves, are two—first, was it necessary—was it the duty of the Government before taking any step of this kind—to have obtained the approval of Parliament? That is a question which at the present moment is *sub judice.* It is a question which we are to argue when the proper occasion arises, and upon which we shall feel ourselves bound to argue that we were not bound by any such obligation. But, if we were not subject to any such obligation, was it expedient at that time, when we were making these inquiries, considering the details of the measure and considering its difficulties, was it desirable that we should, before our minds had been finally made up, have brought the matter before Parliament and raised discussions upon questions which might have been questions of embarrassment and difficulty? That is a matter which we had to consider. I think the House will see that there may have been considerable inconvenience even on the present occasion; and to have laid that down, then, as a principle for all future times, would have been exceedingly embarrassing; because, if the moving of troops, being on the hypothesis within the power of Her Majesty, is to be arrested and discussed, and all the doubts pointed out, then serious difficulties might arise, and the hands of the Government might be seriously impeded. But, I am asked, what has become of the constitutional control of Parliament over the employment of Her Majesty's Forces? Well, I say, the constitutional control will be untouched in this matter. I wish to point out that the House must always bear in mind that the question they have to consider is, whether the preparations that are made are to be regarded as made in contemplation of war or in contemplation of peace? Now, if the question is to be regarded as in contemplation of war—if it is supposed that war, unhappily, is to break out—it will undoubtedly be a duty to come to the House and make very different financial proposals from those which have been made, and Parliament will maintain its complete and full power of refusing Supplies to enable the Government to carry on war. On that point there can be no doubt. But, supposing the question is one of dealing with the military resources of the Empire in the expectation of peace, the question is raised, whether there is anything in the act that has now been done which so disturbs the financial arrangements of the year, as to justify anyone in saying that the financial arrangements submitted on the 4th of April were arrangements which would have been viewed in a different light if this particular measure had been decided upon and had been communicated to the House, and formed part of the Estimates laid before the House? With regard to this, I venture to say that it is altogether fallacious to say we are committing Parliament to any large expenditure for which no provision was made, or that the Budget would have been different to any extent if the details of this movement of troops had been settled upon, and had been distinctly stated to the House. I wish to point out that the expense, talked of as one of enormous magnitude, is not likely to be anything like the amount which some hon. Gentlemen seem to contemplate. The mere expense of bringing 7,000 troops from India to Malta is an item which I am not at present able to state precisely in figures; but it is an expense which will be of moderate dimensions, provided the troops are only brought there for a short time, and that further necessity does not arise for their employment on active service. If that necessity arises, then the condition is changed, and then we should have to come with other proposals and other Estimates before Parliament; but, assuming that this is only to be regarded as one of those measures of precaution which we have thought it right to take, the expenses will be of a comparatively insignificant character. Now, what was the nature of the Budget which I submitted on the 4th of April? I wish hon. and right hon. Gentlemen opposite to pay particular attention to the nature and structure of the Budget? I did not attempt in that Budget to provide for everything that would have to be spent within the year. I called attention to the fact that there was a considerable sum which had been spent in the preceding year, and paid for by the issue of Exchequer Bonds, which must be redeemed within a limited time. I stated that there would be a certain amount required for extinguishing the ordinary deficit for the year. Besides that, I said there would be Supplementary Estimates for carrying on the Services analogous to and continuous of those for which the original Vote of Credit of £6,000,000 had been granted. And what I proposed to do by asking for the additional taxes was, if these Ways and Means were given to me to extinguish both the deficit that was anticipated for the year, to pay off Supplementary Estimates, and leave a margin over towards the extinction of the Debt that remained from the previous year. I said the Supplementary Estimates might be £1,500,000. I said frankly that I could not say precisely what the sum would be. I calculated that, with the amount which the Army and Navy stood pledged to, and which would enable the Reserves to be kept on foot for three months, the sum of £5,000,000 would very probably be expended, and I proposed that that amount should be extinguished within two instead of three years as I originally proposed. If it should happen that an additional £500,000 should be required for moving these troops, it would make very little difference—it would only be that we should extinguish so much less Debt in the time. Even if the cost should run up to £750,000 or £1,000,000, it would only amount to this—that we should not be able, out of the ordinary means granted this year, to pay off so much of the Debt incurred in the previous year; but the taxes, if continued for another year, would enable us to pay off in the time originally contemplated—three years. That was the general financial position; and it was not a matter of that vital importance to the Budget, that I should include that which I was unable to give. It would have been quite impossible, on the 4th of April, while my right hon. Friends the Secretary for War and the Secretary for India were examining the question in detail, and when it was quite possible that from day to day they might have found it encumbered with difficulties which would have prevented any action being taken, to have mentioned the matter to the House, and still more to have made it part of an Estimate. Only consider what might have happened, supposing I had come forward, on loose information, with a chance Estimate for the movement of these troops? We might have found that it was not convenient, and not possible to move them. What would have been the effect of proposing to bring the Indian troops, and then not bringing them? Why, it was just one of those movements it was important to keep secret till its success was insured. I wish it could have been kept secret longer—it was rather a surprise to me that it got out so soon as it did. I should have been glad if it could have been kept secret until the troops were quite ready and on the point of starting, because it was just one of those movements—assuming that Her Majesty's Government had the right to make it—which they were bound to order in such a way as to do all in their power, humanly speaking, to make it successful. If it were a bad and audacious thing to take the step at all, and to take it on our own responsibility, it would have been much worse than an audacious thing—it would have been most blameworthy and almost criminal—if we had taken such a step without taking all the precautions in our power to make it safe and successful. We believe we are justified by the letter and spirit of the Constitution in the act we have taken, and I believe, when we are challenged on the point, we shall be able to justify all we have done. We do not in the least shrink from a full discussion and any searching criticism that may be passed upon us. This we will say—that in what we have done we have acted, as we think, for the best, and on our own responsibility; and we shall, as soon as possible, lay before Parliament an Estimate, which shall give the House an opportunity, if it does not take any other, of pronouncing on our conduct, which we place, with the greatest confidence, in the hands of the House.

MR. DODSON said, that without entering upon the Constitutional question, they were entitled to consider the finances of the Government for the year, which he would proceed to discuss, merely remarking that the £6,000,000 were voted to strengthen the hands of the Government on entering a Congress, the meeting of which it had been doing its best to prevent. The Budget was open to a graver charge than that it disturbed the relations of direct and indirect taxation, and that graver charge was that it was inadequate to the financial requirements of the country. The right hon. Gentleman passed on to next year a deficit of between £1,500,000 and £2,000,000, to be met by £600,000 of arrears of income tax. Thus deliberately to start with a deficit was bad in fact, and bad in appearance to the eyes of foreign countries. It was, in fact, objectionable, being as if we were in danger of war, and to foreigners it would suggest that the nation which boasted through the mouth of its Prime Minister that it could carry on an indefinite number of campaigns, shrank from the burden of partial preparation for war. It was admitted that the expense of moving the Indian troops was not provided for, and it could be provided for only in one of four ways — either there must be increased taxation and a Supplementary Budget, or the charge must be left as a remanet to next year, or the new Sinking Fund must be suspended, or there must be a loan. Every one of these courses was objectionable. If they were to have recourse to a loan, they would be proceeding further on the evil course on which they were already launched—boasting of paying off Debt by this new Sinking Fund and increasing the Debt at the same time. Thus they created a delusion; because, while people were led to believe that great efforts were being made for the reduction of Debt, they were contracting Debt in another form. It appeared to him that the right hon. Gentleman might have provided, and ought to have provided, for the expenditure necessary for the transport, pay, and maintenance of these Indian troops in the Budget which he recently introduced to the House. The right hon. Gentleman told them that the calling of Native troops from India was in principle adopted by the Cabinet on the 27th of March, that Lord Derby resigned on the 28th, and that the change of Offices caused delay; but the phrase resolved upon in principle was a very elastic term. He found by a telegram, which had appeared in the daily newspapers of the 7th of April from Calcutta, only three days after the Budget was introduced, but nine days before the House adjourned, that the intention of the Government was known and understood in India. All furloughs, it was said, were stopped, and an Expeditionary Force of Native troops was regarded as certain, whether for the Persian Gulf or elsewhere was uncertain. He could understand, as the right hon. Gentleman had stated, that the actual order for the troops to embark was not given till the 12th; but he could not reconcile the telegram from Calcutta with the suggestion that no preparations were authorized till the 12th. How could that be reconciled with the fact that five days afterwards the details of the expedition were announced in this country? He hoped the Secretary of State for War would give some explanation of this. If the matter were so far decided, both in principle and in fact, while the Budget was under discussion, the right hon. Gentleman could and should have given the House some information at least approximately with regard to this expenditure, as he did for the Army Reserves. At all events, he should have mentioned, when the Budget was under discussion, that he would have a further Supplementary Estimate to lay before the House for an expedition about to start from India. The only reason the right hon. Gentleman had to offer the other night for his reticence was, that keeping back the information had kept down the expense of transport. How this could be was not apparent, as it prevented competition on the part of shipowners; but now he told them there were other reasons. When the Government was going to take such a step as this, it was important to its success, he said, that it should be kept secret. He hoped the Secretary of State for War would explain, when he replied, in what way the success of the movement of bringing Indian troops to Malta depended upon secrecy. If the Government intended to land those troops in order to strike a sudden blow upon an enemy, he could understand the importance of secrecy; but he could not understand the importance of secrecy in the mere bringing of 7,000 men from India to add to the garrison in Malta. On the contrary, it appeared to him that the argument went all the other way. Had the Government really desired to produce an effect upon the military Powers of the Continent, and to show what resources England possessed, surely it would have been desirable to have stated in the House what they contemplated doing—to have said—"We have these forces, and are bringing some of them to Malta; we have more behind, and we will bring them also, if necessary." To have said that, and to have obtained the assent and consent of Parliament to what was proposed, would have produced an undoubted effect in Europe. They would have strengthened their position, instead of now subjecting themselves to criticism *ex post facto* for conducting this matter in a manner which almost seemed to give rise to a doubt whether they could have induced Parliament to adopt it. He thought the right hon. Gentleman opposite had treated the House rather cavalierly the other night in regard to this question. He had stated that the bringing of these troops from India to Malta was neither more nor less than a direction for them to move from one part of the Empire to another—ordering a regiment from Aldershot to Hounslow, or *vice versâ*—he had spoken as if the step had nothing striking or novel about it; and he had said that there was no necessity to communicate that step to the House, and that, in such cases, it had not been the practice to do so. He would tell the Chancellor of the Exchequer something which it had not been the practice to do. It had not been the practice to bring into the Dominions of the Crown in time of peace troops which had not been voted by Parliament either as to the number of men or as to money. The right hon. Gentleman told him that the constitutional control of Parliament remained untouched, as it would have the opportunity of refusing the Supplies if it disapproved of the step which had been taken by Her Majesty's Government. That was no doubt true. Yes, theoretically true; but, as these troops out of India could not be charged upon India, Parliament would have no option, and must provide the money. Moreover, when they were dealing with troops peculiarly circumstanced, as the Indian Army was, they ought to be specially jealous of the rights and privileges of Parliament; the Government ought to have consulted the wishes and disposition of Parliament before bringing them out of India. He should like to fortify himself by citing an authority on this subject greater than his own. On the 3rd of March, 1864, General Peel stated, with reference to the employment of Native Indian troops in China and the Straits, that if any part of the Native Indian Army could be thus employed without a Vote of that House, the Crown would have a force altogether removed from Parliamentary control. None of these checks—the Mutiny Act nor the Votes of men or of money in Supply—applied to the Indian troops. The result of the points insisted upon by General Peel was, that in subsequent years, both the men and the pay of the Native Indian Army employed out of India in Hong Kong or the Straits Settlements were voted by Parliament. There would be found in the Army Estimates, with scarcely any interruption from 1864 to 1871, Votes for these purposes, until in 1872, those troops were recalled to India, and were replaced in Hong Kong and the Straits Settlements by British troops. The right hon. Gentleman said that the expense with regard to this expedition would not be very great. Well, "great" was a relative term, and the House would know, when the Supplementary Estimates came before it, what the cost would be. But in 1871, the cost of 1,750 men of the Native Indian Army maintained in the Straits Settlements or Hong Kong amounted to £50,000; and if the cost of the troops now despatched to Malta were proportionate, a rule of three sum would show that the expense of the pay, maintenance, and transport of these troops would be a considerable addition to the deficit of the right hon. Gentleman. It was said that the transport, the pay, and maintenance of these troops were to be charged on the British Exchequer. Were they to understand that the pay thus spoken of referred only to the extra pay the troops were to receive in consequence of coming out of India, or did it include their normal pay, and that India would be relieved of that charge? [The CHANCELLOR of the EXCHEQUER: The whole pay.] He did not know whether he need follow the right hon. Gentleman further on the structure of his Budget, which was of a very loose character, and left much to next year and to the chapter of accidents; but it appeared to him no light matter, on financial grounds, that the Budget should be so loosely constructed as to begin by leaving a large deficit to stand over to another year, and while the Budget was under discussion, a considerable addition was made to that deficit. It was no light thing if we were to have, immediately after the first Budget of the year, a Supplementary Budget and additional taxation. As a matter of sound finance, he contended that the first and foremost of the duties of the Chancellor of the Exchequer was to endeavour, in the Budget he submitted to the House, to lay before it the whole estimated Expenditure and the whole of the Ways and Means, so far as it was in his power to do so, for the entire year. That was what the right hon. Gentleman had not done. Of course, emergencies would arise. An emergency was something unforeseen and unexpected; but was this unforeseen and unexpected? It was no such thing, and an approximate Estimate might as perfectly well be given of this expenditure as of that for the Army Reserve or the extra labour in the Dockyards. If they once admitted that the Chancellor of the Exchequer might, in the first instance, submit a loose Budget, then an extraordinary Budget, an amending Budget, or a rectifying Budget or Budgets, with the multifarious names familiar to Continental financiers, then the control of the House over the finances of the country was virtually gone. If such a course were sanctioned avowedly or tacitly, the House would be forced to appoint a Standing Finance Committee, to watch from month to month the shifting Estimates of Expenditure and Revenue. He must say that the step which the House induced the right hon. Gentleman to take on the third reading of this Bill—namely, to give the House an opportunity of considering the financial position of the Government as a whole by the light of the new revelations we had had—was perfectly justified by the circumstances, and he thought that, on consideration, the Government itself would come to the conclusion that no other course ought to have been followed.

Mr. A. MILLS said, the right time to raise the question as to whether the action of the Government in this matter had or had not been constitutional, would be when the noble Lord the Leader of the Opposition brought forward his Resolution, and therefore he did not intend to discuss the subject now. He only wished to make one remark with respect to what fell from the hon. Member for Glamorganshire (Mr. H. Vivian), which ought not to remain uncontradicted. The hon. Gentleman spoke of the Indian Army as "a foreign army," as if they were mercenaries, and seemed to think he had found a most important precedent in what the country Gentlemen had done in 1775, when Lord North employed Hanoverian troops in the American War. The hon. Gentleman called upon the House to do what the country Gentlemen did in 1775, when they entered a patriotic protest against the action of the Government. But the cases were not parallel. The Hessian and Hanoverian troops employed by George III. were, as everybody knew, employed under Treaty between this country and other Powers, and Parliament did quite right to protest against the action of the Government of that day. But, when the hon. Gentleman asked the House to do what was done in 1775, he could not have consulted Parliamentary History to much purpose. A Gentleman named James Lowther—he did not know whether he was any relative of the right hon. Gentleman who now bore that name—moved a Vote of Censure on the Government for their action with regard to the Hessian troops, and, on a division, the Government of the day had a majority of 220 against 83. He hoped any similar Motion of Censure on Her Majesty's Government would be attended with the same result. It seemed to him that we formed a part of a great Empire, and that we ought to be very careful of what we said about our fellow-subjects of the Indian Army. If the hon. Gentleman had looked into the Indian Mutiny Act, he would not have spoken of the Indian troops as he had done, or of the action of Her Majesty's Government as if it had been of the same kind as that of the Government in 1775. Under the Indian Mutiny Act, all recruits made the following affirmation:—

> "I —— solemnly affirm in the presence of Almighty God that I will be faithful to Her Majesty the Queen, Her heirs and successors, and will go wherever I am ordered by land or sea, and will obey the commands of the officers set over me, even to the peril of my life."

He maintained that this placed the Indian soldiers, as regarded their military position, on the same footing with soldiers serving in this country, and there was no reason to suppose that there was the slightest difference between the relations of the Imperial Government to these troops and those of any other of Her Majesty's Forces; which, by the Acts of 1858 and 1860, had been completely consolidated in one Imperial Army. He had no desire to enter into the constitutional question; but, as the right hon. Gentleman opposite (Mr. Dodson), and others outside the House, had cited precedents confirming their view of the case, he might remark it was well known that the Native Army of India had on several occasions been employed out of India—namely, in Persia, in Egypt, in Abyssinia in 1867, and twice in China—he believed in the years 1841 and 1860. He defied anyone to show that there was the slightest difference between those cases and the present one. The simple question was, whether the Crown was invested with the power of moving troops without the consent of Parliament? He thought the Chancellor of the Exchequer had disposed of the question of urgency and secrecy in the conduct of this business. With regard to the composition of this Force, the Government had the necessity imposed upon them of being very careful as to the mode in which, and the time when, they should communicate their decision to Parliament. Considering that we had only a small standing Army, it was a good thing to bring Indian troops to our aid in dealing with this emergency, as he might term it.

The right hon. Member for Chester (Mr. Dodson) seemed to speak with contempt of the notion of an emergency, and said that an "emergency" must necessarily be something "foreseen." This was not so. It was at the present moment an "emergency" for the Government to pass the third reading of the Bill; but it had been foreseen a long time ago, and the same was the case with our national "emergency." This was not necessarily an act of defiance; but it was intended to prove to Europe that the Parliament of England would support, and was supporting, the Government in resisting any aggression or any breach of Treaty that might be threatened. The Government were responsible for carrying out the arrangements in such a manner as to secure success. The action of the Government in removing these Indian troops had, in his judgment, contributed more than anything which had been done for a long series of years to bind to ourselves upwards of 200,000,000 of British subjects who were our fellow-subjects in the Indian Empire.

MR. MITCHELL HENRY thought the hon. Member for Exeter (Mr. A. Mills) had proved too much; and ventured to ask, if the act of Her Majesty's Government in bringing Indian troops to Malta was to produce the good effect upon Europe which the hon. Member said it would, why did not the Government do it in the face of the world and with the sanction of Parliament? Why was this act, which was said to meet with admiration from Europe, done in a way which could only be said to be technically within the power of the Government, and certainly contrary to the ordinary practice of any constitutional Government that ever existed in this country? The other night he (Mr. Henry) seconded the Motion for Adjournment, because he was much struck by the statement of the Chancellor of the Exchequer, which had been repeated today, that the movement of the troops had, in the opinion of the right hon. Gentleman, become known somewhat too early for the convenience and advantage of the country. The right hon. Gentleman even expressed a wish that the movement had remained concealed a little longer, in order that it might be quite sure of succeeding. What was the success desired by Her Majesty's Government? He would prove by dates that the chief object was to get the Budget passed before any discussion upon the matter could be raised in Parliament. That involved a grave charge against the Government. The right hon. Gentleman had fixed the date, and had told them that it was determined, at the Cabinet Council of the 27th March, that the troops were to be called from India; but it was also at that Cabinet Council that the decision was taken to call out the Reserves, which was followed by the resignation of Lord Derby. This was the beginning of an entirely new policy, and the bringing of troops from India was of immeasurably greater importance than calling out the Reserves. The Government took Parliament into its counsel about the Reserves; but the calling of the troops from India they did not communicate to Parliament, because they knew perfectly well that the act was of doubtful legality, or, if not absolutely illegal, was certain to cause great discussion and meet with opposition in the House. During the last few years they had been subjected to a policy which proceeded from the Oriental tendency of mind to theatrical effect and surprise, which was to be found in the Prime Minister; but which, he thought, could never have found favour with the Chancellor of the Exchequer. Within the last two years, there had been a very noticeable change in the practice of the Government. The Government at one time used to answer Questions candidly, keeping nothing in the background, giving explanations, or refusing to give explanations; but of late the Government seemed to revel and delighted in mystery and theatrical effect. The speech of the Chancellor of the Exchequer to-night was a speech which might have proceeded from some person who was a master of technicalities, and was of a forensic character—such as might be heard in a Petty Sessions Court. The Chancellor of the Exchequer told them he did not know how much it would cost, and, therefore, could not propose an estimate; but such an evasion as that was of no avail when a constitutional question of this kind was before the House of Commons. What was the use of bringing these 7,000 Indian troops to Malta, except to show the world that if they could do that, they could bring 50,000 to this country, and that would not involve a small expenditure. The House would be able to see that the intention of the Government was simply that the Budget should pass without comment. Unusually strong efforts were made before the Recess to bring the Budget through the House, and if it had not been for the hon. Member for Meath (Mr. Parnell)—to whom the House was not always ready to recognize its obligations, and who had insisted on the adjournment of the discussion upon it until after the Recess—they should not have had the opportunity at the present moment of discussing the unconstitutional conduct of Her Majesty's Government. He (Mr. Henry) had not attempted to criticize the general conduct of Her Majesty's Government on Eastern affairs, nor had he said one word as to the wisdom of bringing troops from India; but he solemnly protested against the system of which the Government seemed now to be enamoured, of doing things behind the back of Parliament for the purpose of producing the surprise and admiration of foreign countries. This country had been strong hitherto; its diplomacy had been straightforward, and it had exercised great influence and had maintained its reputation abroad; because, whatever Government was in power, other foreign countries knew that the Minister, in all important matters, would be backed by a majority in Parliament. As it was now, nobody could tell what was the next surprise in store. It was just as competent for the Government to bring over a number of friendly Fingoes, who were fighting our battles at the Cape, or a troop of Maories from New Zealand. These were surprises against which they had a right, and it was their duty, to protest; and it was on that ground that he ventured to second the Motion for the Adjournment of the House the other night, in which he expressed his earnest hope that hon. Gentlemen on both sides would not even now allow the Budget to pass without recording a very strong protest against the conduct of Her Majesty's Government.

Mr. RYLANDS: Sir, I should not have taken part in this debate but I feel, that as an independent Member, I ought to take this opportunity of protesting as strongly as may be against the course taken by Her Majesty's Government. The right hon. Gentleman told us on Thursday night, when he very reluctantly agreed to the Adjournment which enables us to discuss the third reading of the Budget Bill, that he could not tell what it was that the Adjournment was proposed for. I hope the right hon. Gentleman sees now that those who supported the Adjournment of the Debate had some reason for wishing it to be adjourned. Why, the discussion of this Budget—this most unexampled Budget, considering the circumstances under which it has been introduced—is most important; for the taxation of the country is a matter which ought to be considered very seriously by this House at all times, and especially when we are laying additional burdens on the country, and when the country is suffering from almost unparalleled financial difficulties. The Budget Bill, as my hon. Friend the Member for Galway (Mr. Mitchell Henry) has pointed out, was introduced before the Recess, and the greatest pressure was put on the House so as to pass the stages of the Bill with the least possible discussion, and the effect of it was that this Budget, which will impose a very large amount of taxation on the country, was actually hurried through its stages without any sufficient discussion; and the House, instead of enforcing economy upon the Government, had abdicated its functions in obedience to the cry raised by the noisy "Jingo" Party. The Government has made use of its position in the House and in other places, in order to excite in the public mind the belief that there was some great national emergency which ought to induce hon. Members to give *carte blanche* to the Government. The result is, that at the present moment, while Her Majesty's Government are spending far more money than has ever been spent in a time of peace, there has been scarcely anyone bold enough to raise his voice in opposition to that expenditure. Let me just remind the House for two or three minutes of the fact, that the ordinary Expenditure of the country—for the right hon. Gentleman the Chancellor of the Exchequer divides his Budget into ordinary and extraordinary Expenditure, which, I think, is a very dangerous precedent—that the ordinary Expenditure this year has amounted to a sum which is altogether unexampled. I find, that under the Estimates of the right hon.

Gentleman the Chancellor of the Exchequer, that he proposes that we should raise taxes—leaving out of view the amount received from the Post Office, the Telegraph Service, Crown Lands, and Miscellaneous Receipts—to the extent of £70,000,000, for the present year. Why, Sir, in 1870-1, the total amount of the Expenditure in the Army and Navy and Civil Charges, and on account of the National Debt, amounted to £63,000,000; so that, in point of fact, there is an increase, since 1870-71, of over £7,000,000 a-year in the taxes imposed on the country. But while the ordinary Expenditure is rapidly increasing, we are now threatened with an extraordinary Expenditure, which is positively going on by leaps and bounds; and not only is there this very large amount of extraordinary Expenditure, but we are brought face to face with this fact, that over and above that extraordinary Expenditure, the Government are adopting measures which will necessarily cost a very large sum of money. I entirely agree with the former speakers in complaining, that when we were asked by the Chancellor of the Exchequer to consider the proposals in his Budget, not only did he not give us the full information which we have a right to expect, but, I think, in the course of his speech, he used language which was actually calculated to mislead the House, by diverting its attention from the possibility of any such extraordinary Expenditure as that which the Government now contemplate. I noticed that when the right hon. Gentleman—and I have now before me a report of what the Chancellor of the Exchequer said on the subject—alluded to the possibility of increase of Expenditure, he particularized the class of expenditure under the Vote of Credit, and he told the House that any further sums which the Government might require would be for analogous purposes to those which he had provided for in the Vote of Credit. It was quite clear that the assurance that additional Expenditure under the Supplementary Estimates would be incurred for purposes analogous to those provided for in the Vote of Credit, would necessarily divert the House from any idea that the Expenditure was to take the form which it was now clearly shown to take. Now, the right hon. Gentleman, I think, has entirely failed in giving any sufficient reason for thus withholding information with which Parliament ought to have been furnished. The Government had met the complaint that they had withheld from the House before the Recess the fact of their intention to bring over the Indian Native troops, by alleging their desire to maintain secrecy in the matter for diplomatic reasons; but that plea was altogether inconsistent with their course of action throughout the negotiations, which had erred on the side of too much openness and menace. We had Parliament called together at an early period, and the idea that the Government were about to take some extraordinary measures for the maintenance of British interests was then anticipated. We had a Vote of Credit of £6,000,000 at the time when it was believed that the money would not be spent. I have no doubt in my own mind that the real reason why this matter was not mentioned to the House of Commons was because it was a great innovation—a great interference with the Constitution of this country. I do not intend to go into that ground, which will be occupied in a subsequent debate; but I cannot help feeling that if the Government had come down before the Recess, and had announced in a fair and candid spirit that they did intend to take this unusual step of bringing these Indian troops, in order to assist in the British policy which the Government intended to pursue, any such intimation would have received the serious consideration of the House of Commons. I have no doubt that there would have been a very long and a very animated debate on that question, and that hon. Gentlemen on this side of the House would have been willing to sacrifice, if necessary, their Holidays to discuss the course which the Government proposed to take. I have no doubt that the object of the Government in keeping back this information was to get rid of the opportunity of Parliament discussing this innovation in the practice of the Government in this country; and I cannot help believing that one great object that the Prime Minister had in view was to create a new precedent in regard to the management of the affairs of this country, and that he would get, by means of this innovation, without any discussion, or the previous knowledge of Parliament, under the seal and authority of the Royal Prerogative, the right to bring the Native Indian troops into Europe.

I am strongly of opinion that the course taken by the Government is one which is a slight to the House of Commons, and detracts from the Privileges of Parliament. I shall not go into the constitutional part of the matter; but I cannot help differing from the right hon. Gentleman the Chancellor of the Exchequer, when, in reply to a criticism on the conduct of the Government, he said they had a constitutional right to despatch troops from India; but that, under the Bill of Rights, we might rest assured that no Indian troops could be brought into this Kingdom. If we are to have the sort of interpretation which the Government seem inclined to put on Acts of Parliament, I do not see that we have any certainty of protection under the Bill of Rights. I am quite aware of the difficulties that we are placed in on this side of the House in maintaining the rights of Parliament. I agree with my hon. Friend the Member for Glamorganshire, who spoke with such effect, that if the Liberal Party had occupied the Treasury bench and had attempted to strike this blow at the public rights of the House of Commons—I have no hesitation in saying they would have found many Liberal Members who would have resisted such a proceeding on the part of the Government. I can recollect in the last Parliament, when our Friends sat on that bench, and when what were called the "Collier and Ewelme Scandals" took place. Even in such a matter as that, there was an outcry raised on the Opposition side of the House, which was responded to to some extent by hon. Gentlemen who were supporters of the Government. Such things as these, through which the right hon. Gentleman the Member for Greenwich was held up to public odium, were insignificant and contemptible events compared with the serious actions now being taken by the Government. Are we, as the House of Commons, to allow the Government to take a course, the effect of which, if persisted in, will make our discussions, when we are voting Army and Navy Estimates, a mere farce? It is part of the constitutional functions of Parliament to control the Expenditure of the country. When we get into Committee of Supply, we have the opportunity, in the first instance, of voting that a certain number of men and no more shall be employed for service in the Army for the current year. We then have the opportunity, on the Money Vote, of discussing again whether the number of men we have is not more than sufficient. Subsequently to the Committee, we have the Report to the House, upon which further debate may arise—we have then the Mutiny Bill fixing the number of men, when we might refuse, on any of its stages, the number of men proposed by the Government. Yet all these safeguards are destroyed by the course adopted by the right hon. Gentleman—not a single safeguard I have alluded to is maintained by the right hon. Gentleman, except the single one that I suppose at some future time he will come down and ask us to pay the bill now incurred. It is all very well to say we can vote against its payment. This is only an illusory pretence. The money will have been spent, and at that time we shall be told that it is utterly useless to reject Votes for sums of money which have already been incurred. I say we shall have no control whatever if the present precedent is permitted and established; the effect of it will be, that if the House were to Vote that there should be a less number of men in the Army, then the Government would at once turn round and bring a number of men into Europe from India—they would order men occupying European garrisons home, and supply their places with troops from India, without at all consulting Parliament, and so render the decisions of Parliament nugatory. Are hon. Gentlemen content to sacrifice all the Privileges of Parliament which our forefathers fought for—and, I may almost say, died for? Are we so degenerate a race of men—men who have public rights and Parliamentary Privileges—are we so degenerate, that, under the direction of the Government—who ought to be the main protectors of the Privileges of Parliament, but who choose to be—must I say—traitors to the duties devolving upon them—are we, because they are prepared to tamper with them, to sacrifice our rights? Well, I do not know how far on the other side of the House we shall receive any sympathy in this matter, and their action in the past does not give me great encouragement; but I would ask them to raise their minds beyond the mere differences between the two sides of this House with regard to the policy of the Government in reference to the Eastern Question. If they are right, even in the main lines of their policy, it does not prove that they are right in taking this course—in employing troops from India without the consent of Parliament. I do not know what steps may be taken hereafter; but I hope we shall have an opportunity of recording our Votes against the course of proceeding adopted by Her Majesty's Government; and I hope, when the time comes, we shall not find ourselves without support from hon. Gentlemen on the other side of the House in our endeavour to maintain the ancient Privileges and constitutional rights of the House of Commons.

MR. PEASE desired to add a few words to the debate, and to put in an humble but emphatic protest against the way in which the House had been treated by the Chancellor of the Exchequer with reference to the despatch of Indian troops. He thought no one in the House would have spoken more strongly than the right hon. Gentleman, if the Representative of any other Government had adopted the plan he had adopted with regard to the financial requirements of this country. The House had before it the third reading of the Bill for Ways and Means by raising the Income Tax and adding to the duties on dogs and tobacco. The right hon. Gentleman knew, when he was proposing that Bill, that he had to meet a larger expenditure than that which he mentioned to the House. When he was asked by the right hon. Gentleman the Member for Bradford, on the eve of the Adjournment for the Easter Recess, whether he had any further information to give to the House, the Chancellor of the Exchequer, if he (Mr. Pease) recollected rightly, said he had nothing further to communicate to the House. Yet, the moment the Adjournment took place, it was publicly known that 7,000 troops were to be sent to Malta from India. If the Government could order 7,000 Indian troops to Malta, they might order 17,000, or any other number they thought fit. Now, how could they know, when they were asked to read the Bill a third time, what the expenditure of the country would be? The Bill was no true representation of what the increased expenditure of the country would be. He would once more protest against Parliament being treated in the manner in which it had been treated by the Chancellor of the Exchequer in withholding from Parliament the information which he possessed, and then moving a long Adjournment, in order to prevent the policy of the Government from being discussed.

MR. E. JENKINS said, that the right hon. Gentleman the Chancellor of the Exchequer had professed great surprise that hon. Members should stop the progress of the Bill; but the right hon. Gentleman did an injustice either to his honesty or to his understanding. There were several important points. which would have to be discussed hereafter; but the special question before them that night was a very distinct and clear one, and one of no small importance. Three different issues might be raised with regard to the action of the Government in using the Indian troops as they had employed them in this case. The first would be the constitutional question arising out of the mode in which the Government had undertaken this great innovation; the second would be the question raised by the noble Lord the Leader of the Opposition, whether legally or constitutionally those troops might be used? and the third was the policy of employing Indian troops at all in European service. The question raised that night was of a highly constitutional character. It concerned the relations and duties of the Government to the House of Commons. It might turn out to be technically true, that the Government had correctly advised the Crown with regard to the action which had been taken in this case; but the point immediately before them was, whether it was proper that the Government, in bringing forward the Budget at a time when they clearly foresaw that they would have to ask for larger Supplies, should so far actually, if not intentionally, deceive the House with regard to the amount of Supplies that would be asked during the year? But they were entitled to go a little further than that. It was not a mere question of the introduction of the Budget; but they happened to know that while the Government were incurring the tremendous responsibility of introducing so great an innovation as the employment of Indian troops, they concealed that fact from the House, and, but for a mere accident, they should not at that moment be able to raise the question upon the Bill. He thought the country would speak out against the conduct of the Government; and he was surprised both at the apathetic and the enthusiastic spirit of hon. Members on the Ministerial side of the House. He was sorry that there had not been all along a stronger protest from the front Opposition bench against the proceedings of the Government. They appeared ready to subscribe their hands to everything which the Government asked them to do. When a Government had a large majority, which was prepared to vote almost anything, how were its wings to be clipped? How was it to be prevented from infringing upon the constitutional rights of the subject and of that House? It was only by a vigorous Opposition, only by an expression from the front Opposition bench of those high constitutional principles which ought to govern Parliament; and even though for a time a majority might succeed in carrying measures which transgressed those principles, yet they knew that the time would come when the tables would be turned, and when it would be possible once more to restore to the country whatever the Constitution had temporarily lost. As a humble Follower of the noble Marquess (the Marquess of Hartington), he regretted to say he was only expressing the opinion of a large section of the Liberal Party outside the House, when he stated that they wished, throughout the whole of the discussions which had arisen with respect to the Eastern Question, that the Opposition had been led with a little more vigour and distinctness, and then he would have been followed with a greater enthusiasm. But the answer just put forward by the Treasury Bench was one that did not bear examination. They had been told by the Government that the Crown had a right to come to important decisions upon great questions of foreign policy without regard to that House; and, if so, they could commit the country to an enormous expenditure, and then come down to the House and ask for what was practically a Bill of Indemnity. He would ask hon. Gentlemen on both sides to consider whether the case of emergency which had been put forward as one of the defences of the Government by the hon. Member for Exeter (Mr. A. Mills) had been proved? There was no declaration of war, and no immediate prospect that the troops would be required. One was driven to the conclusion that the true motive of the secrecy on the part of the Government, as regarded the outside world, was not because there was an emergency, but because they did not wish that the House should exercise its constitutional right to intervene and discuss the question whether it was right or politic or constitutional to employ the Indian troops in the manner proposed. Therefore, he looked at the plea of emergency as a mere pretence, and he did not believe there were many hon. Members on the Government side of the House who would get up and defend the Government on that ground. His hon. Friend the Member for Burnley (Mr. Rylands) had pointed out how impossible it would be to exercise an effective control over the Expenditure if Governments, having large majorities, were to act upon the precedent which had been set them in this instance. The truth was that, unless in the case of unforeseen emergencies, it was regarded as the duty of a Ministry to state distinctly what were the whole charges which they had in contemplation for the coming year. That was the regular practice. That had not been done in this case. Comparing the dates given by the Chancellor of the Exchequer with the dates of the passage of the Mutiny Act, it was evident that if the Government had wished to behave in a constitutional manner, they might have taken some action to delay the Mutiny Bill for the purpose of bringing before the House and the country that increase of Force which, without the Mutiny Bill, was believed on that side of the House to be neither legal nor constitutional. Into that point he would not enter; but he could not but feel that at that moment they were justified in offering to Her Majesty's Government every possible obstruction, not only to their foreign policy, but to that part of the domestic policy which was involved in the subject immediately before the House. It would appear that they had reached a stage in this country of government by conspiracy. The Prime Minister and his Confederates—he would withdraw the word "Confederates," and substitute Associates — the Prime Minister and his Associates in the Cabinet appeared to be assuming more and more to educate the people of England up to a point at which the Government of this country would be able to do things which, certainly, for many years, had not been considered either right or constitutional. If the course which the Government had pursued were to be carried to further extremes, and infringements were to be made on legal and constitutional rights, he could not but feel that the day would come when it would be necessary to make a very strong and cogent protest against such a course of proceeding. It was a singular fact that this country, which for so long a period had been governed upon constitutional principles by its responsible Ministers, should find itself, at last, in hands that trifled with constitutional freedom. The rights and liberties, not only of the House, but of Her Majesty's subjects, it appeared, had, in no small degree, been violated by Her Majesty's Government. He, for one, would enter a protest that night against the course taken by Her Majesty's Government, because he could not but think it was a conspiracy to get this country committed to a course to which a very large number of Her Majesty's subjects were opposed. For that reason, if no one else did, he would divide the House against the Bill.

MR. NEWDEGATE said, the House really was not informed what were to be the Ways and Means for the year—what would be the resources the State would require to meet its Expenditure? Nor was the House as yet informed what amount of military Force in Europe ought to be placed at the command of Her Majesty's Ministers; in other words, what ought to have been the Estimates? There seemed no doubt that the Chancellor of the Exchequer intended to create a Debt—he could not say how much; but he left the House in this position, that it was called on to vote the sum now asked under the impression that it ought to vote a great deal more. It was not within the competence of any hon. Member of the House to propose an increase in the taxation of the country—that was the privilege of the Representatives of the Crown only. Then, he would ask, on what were they to divide? All the great issues were postponed; and to refuse these taxes would be to diminish the Revenue, which they already knew to be insufficient to meet the Expenditure the House had already sanctioned. To divide in that sense would be absurd. It was his belief that the Government had acted not only unconstitutionally, but illegally, in importing these Indian troops into Malta, and taking them beyond the legitimate sphere of their proper operations, without the knowledge or consent of Parliament. That was a great issue—an issue which could not be decided that night. He thought it a very great issue indeed, having far wider bearings than any which had been touched upon in this debate. He (Mr. Newdegate) could not discuss this question now, as it would be out of Order to attempt it; but it was important for the country to decide, through its Representatives, whether Her Majesty's Ministers had not acted unconstitutionally and illegally in importing these Indian troops into Malta without any previous declaration of Parliament, either by Bill or Resolution. It was true that they could not force these troops into the United Kingdom, because they were precluded from doing so by the Bill of Rights. It was essential to the control of Parliament that the House should know what proportion of the Standing Army, for the maintenance of which it provided, was to be retained in the United Kingdom. If the Executive had the power to replace the troops in the Colonies by these Indian troops, which Parliament did not maintain, they might indefinitely increase the Standing Army, and the House of Commons would lose its legitimate control over what should be the number and employment of the Standing Army. These were not small issues; but, inasmuch as it was not within the Order of the House to debate them now, he should defer what he had to say upon them until he had a legitimate opportunity. Her Majesty's Ministers had lost, at least, one Colleague by these proposals; for they explained Lord Derby's retirement in the most honourable sense. It was unbecoming in the Servants of the Crown to postpone for a single day the explanations that they stated they were prepared to give on this great question.

MR LAING thought that assertions such as those that had been made by the hon. Member for Exeter (Mr. A. Mills) ought not to go forth uncontradicted, and he was prepared to prove, when the subject of the removal of the Indian troops was again before the House, that the whole teachings of experience, the policy of all the wisest statesmen who had governed India, and, above all, the lesson taught by the great Indian Mutiny, pointed to the conclusion that any attempt to carry out the policy of creating a martial spirit in India, and especially in the Native Indian Army, would be fraught with the greatest danger to the safety of our Indian Empire. In his opinion, it was very unfortunate that the policy of the Government in regard to the affairs of India had been imported into the consideration of the present Bill. As for the financial aspect of the question, without imputing to the Chancellor of the Exchequer any intentional desire to deceive Parliament, he felt that one result of the unfortunate concealment of the intentions of the Government had been to prevent the House of Commons from giving a full and fair consideration to the financial proposition of the Government. Now, the Budget was unsatisfactory in two respects. Its leading feature was, that in a time of peace, for the first time for a long period, they were acting on the vicious principle of not meeting the Expenditure for the year out of the Revenue of the year, but a remanet was left over till next year; and its other important characteristic was found in the fact, that the attempt to meet the deficit was partial and disproportionate. The framers of the Budget sailed very near the wind, and it was imperative that the Government should show no more expenditure than was absolutely necessary; another £500,000 of expenditure would seriously derange their plans, and to meet the new expense of moving the Indian troops, probably £1,000,000 would be wanted, and additional taxation would have to be imposed. But what provision would be made? It would be most undesirable to put another penny on the income tax, and it would be impossible to find any mode of increasing the indirect taxation which would not be very unpopular in the country. If the country at large thought it right to incur a great expenditure in making warlike preparations, was it not fair, he would ask, that that expenditure—at least till war broke out—should be met by means of additional taxation levied at the time? If we looked to the moral effect that might be produced on the negotiations, surely to show that the country was willing to submit to additional taxation was a much more powerful weapon to take into a Congress, than the importation of 6,000 or 7,000 men from India to Malta? Now, what he maintained was, that, owing to the unfortunate reticence of the Government with regard to the Bill under their discussion, the House had never yet been placed in a position to consider fairly their financial arrangements with regard to the ensuing year.

Mr. BIGGAR said, that, without doubt, one of the first duties of the Government was to submit to the House full information upon all questions in which expenditure of the public money was involved. To what extent had that duty been fulfilled in the present instance? The principle of sending the troops from India to Malta had been decided upon by the Cabinet on March 27, and the Financial Statement for the year was made on April 4. But, in his Budget, the Chancellor of the Exchequer in his calculations made no reference to the project which the Government had in contemplation, and, in fact, suppressed information which the country, through its Representatives, had a right to have. But the Government went beyond that; because, on the 16th April, the day on which Parliament adjourned for the Easter Recess, the Chancellor of the Exchequer stated there had been no change in the state of affairs, and Government had no information to give the country. That certainly did not lead the House of Commons to expect any such extra expenditure as this Indian Expedition must involve. Before that, the House had the Estimates and the Mutiny Bill, in which the number of men to be placed on the Establishment and the expenses were indicated; yet, four days before the 16th April, Government gave instructions to the Indian Government to make the necessary contracts for transporting the troops, and of this the morning papers of April 17 gave information, showing that some Members of the Government had been more candid to the Press than the Chancellor of the Exchequer had been to the House of Commons. That he could not but regard as a slight upon the House, whose greatest privilege it was to control the Expenditure upon public matters. On the same morning, it was publicly known by telegram from India that Government were making the contract there for the conveyance of troops. Knowing something of mercantile affairs, he thought the Government had not used sound judgment in making these contracts. Instead of advertising for a certain amount of tonnage, they went privately to shipowners for separate tenders. Of course, all thought that an extraordinary amount of shipping would be required, and each asked a great deal more than he would have asked had each shipowner known that comparatively such a small amount of transport was wanted. He (Mr. Biggar) believed that much more had been paid for the ships than if the business had been conducted in a business-like manner. Their mismanagement had been the result of trying to do things in too clever a way. The expense had been increased; and, as Ministers and as men of business, the Government should lose the confidence of the country. As the Bill itself was based upon a thoroughly unsound principle of taxation, he should vote against it.

Question put.

The House *divided:*—Ayes 111; Noes 19: Majority 92.—(Div. List, No. 116.)

Verbal Amendment made.

Bill *passed.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(1.) £12,594, to complete the sum for the Lunacy Commission.

(2.) Motion made, and Question proposed,

> "That a sum, not exceeding £42,535, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Mint, including Expenses of the Coinage."

SIR ANDREW LUSK asked, if any information could be given the Committee as to the erection of a new Mint? The present building was not at all in accordance with the spirit of the times; and although successive Chancellors of the Exchequer had promised to give the question of acquiring another building their serious attention, nothing had yet been done in the matter.

SIR HENRY SELWIN-IBBETSON said, on more than one occasion Bills had been brought in for the purpose of erecting a new Mint on a fresh site; but, considering the present financial state of the country, he thought this was hardly the time to propose to spend a large sum of money in the purchase or erection of another building. Nothing was being done now in reference to the matter; and although everyone must admit that the existing Mint was not at all such as could be desired, yet the present was not the time when he could say anything should be attempted.

SIR ANDREW LUSK did not find fault with the present Chancellor of the Exchequer any more than either of his Predecessors; but he desired to impress upon the Government the propriety of possessing a Mint worthy of the country, and a building in a more convenient situation than the present one occupied. He trusted the question would not be lost sight of.

MR. BIGGAR insisted that if a new Mint were built, the proper place for it was the centre of the City.

MR. O'DONNELL objected to the sum of £12 paid for religious services, and asked what particular services were applicable to the operations of the Mint. If the Vote was something which had been handed down to posterity, it was now time that it should disappear from the Estimates.

SIR HENRY SELWIN-IBBETSON said, he could not give the information desired, as, at the present time, he was not sufficiently up to the details of his Office; but, before Report upon Supply, he would become acquainted with the reasons for inserting the amount in the Vote, and he hoped then to be able to satisfy the hon. Member as to the reasons why the sum was asked for.

MR. MACDONALD hoped, when the hon. Baronet gave this information as to the money paid to the chaplain, he would also be able to inform the Committee why £3 a-year was paid to a sexton.

Mr. BIGGAR objected to the reply being postponed. He found no fault with the hon. Baronet for not being able at present to enter into details; but he protested against the system which was the usual course adopted now—of giving no information at all. Unless an answer were given he would divide the Committee.

Sir HENRY SELWIN-IBBETSON said, he had excused himself for not answering the Question on the ground that he had recently taken the Office of Secretary to the Treasury, and had not had time to make himself acquainted with details. But he thought he could now explain the reasons for inserting in the Estimates the sums payable to the chaplain and the sexton. These were allowances which had been made for a considerable period, and they originated from the fact that the Mint formed part of the Tower itself in olden days. At present the Mint officers had seats in the Tower chapel, and the Mint authorities made the grants which appeared in the Estimates to continue the privilege to their officers of having those seats.

Mr. BIGGAR thoroughly excused the hon. Baronet for not at first being able to answer the Question; but, still, he thought someone should be present to give information on Questions which had suggested themselves after a careful study of the Estimates.

Sir ANDREW LUSK said, the hon. Baronet the Secretary to the Treasury was quite right with regard to what he had stated as to the Mint officers having seats in the Tower chapel; and, upon the whole, he thought the sum set down in the Estimates a fair charge to make for such accommodation.

Mr. O'DONNELL observed, that he had a great regard for what was called the ornamental parts of Estimates; but he considered ornamentation had gone a little too far. Although some centuries ago the Mint *employés* might necessarily have been members of the Church of England, it could not be said that this was the case now, and so justified the payment to the chaplain. At any rate, the allowance to the sexton could not be defended on that ground, for he (Mr. O'Donnell) did not suppose that any of the officials particularly preferred being buried within the precincts of the Tower; and even if they did, he did not see why the services of a sexton should be subsidized specially on their behalf. The best course to adopt would be to omit these Votes at present, and then, if any reason for restoring them was shown, they could be replaced on Report. Therefore, he moved the reduction of the Vote by £15—the sums payable to the chaplain and the sexton.

Motion made, and Question proposed,

"That a sum, not exceeding £42,520, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Mint, including Expenses of the Coinage."—(*Mr. O'Donnell.*)

Mr. BIGGAR did not see that it was necessary for every *employé* at the Mint to be a member of the Church of England to justify the payment of the chaplain; because that Church had within its communion men as broad as Mr. Bradlaugh, and others as advanced in Roman Catholicism as Cardinal Manning. That being so, there was no necessity to suppose that all the *employés* were members of the Church of England, especially as various gentlemen filled the pulpit of the Tower chapel; and, consequently, the congregation had some variety in religious views.

Mr. O'CONNOR POWER, while hoping the hon. Member for Dungarvan (Mr. O'Donnell) would not divide the Committee, trusted that the Secretary to the Treasury would turn his attention to the payment of these sums to the chaplain and sexton.

Question put, and *negatived.*

Original Question put, and *agreed to.*

(3.) £14,024, to complete the sum for the National Debt Office.

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £22,675, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, connected with the Patent Law Amendment Act, the Registration of Trade Marks Act, and the Registration of Designs Act."

Mr. MELLOR complained, that notwithstanding all the changes which had been made in this office, the effect of the alterations had been to increase the Votes each year. These increases were becoming very serious, and required explanation. The Clerk to the Commissioners had been advanced £500 a-year; the Librarian, whose salary, in 1877, was £400 a-year, had had another £100 a-year given him; and the salaries of clerks, which formerly stood at £1,937, had now reached £3,600. Unless he had satisfactory explanations of these increases, he must move to reduce the Vote.

MR. MACDONALD complained that the office keeper had no less than four appointments. This multiplication of offices seemed to be taking hold of the Government to an alarming extent; and it was patent, that either the work in each instance was very easily performed, or that all four positions might be merged into one. Unless he were satisfied with the answer on this matter, he should move the rejection of the whole Vote.

SIR HENRY SELWIN-IBBETSON said, the Patent Office had been in a transition state for some time past, and a great deal of additional duties had been imposed upon it, necessitating extra work. The Registration of Designs and the Registration of Trade Marks had of late been handed to that office, which had, necessarily, occasioned an increase in the Establishment. He would remind the Committee that there was a set-off against this increased expenditure, and that this was one of the offices by which the State made a profit. The Estimates showed that this year the Registration of Designs was calculated to produce £4,000, and the Registration of Trade Marks £5,000, while the receipts from the other branches of the Patent Office amounted to no less a sum than £172,000; so that this office, estimated to cost the nation £27,175, was really a source of Revenue to the extent of £181,000. As to the office keeper having more than one office to look after, it was very often convenient to employ one man to do the work in several offices, and it would be far more costly to have a separate man, with a distinct salary, to look after each office; therefore, the State benefited by the present arrangement.

MR. MACDONALD said, he found that this office keeper had no less than £416 for looking after four offices; this he regarded as an extravagant waste of public money. He was sure people in large businesses, who employed office keepers, would be surprised to hear that this individual had £416 a-year for the work he did; and he desired to know from the hon. Baronet, whether this person was the son of a Nobleman who took a considerable sum out of the country in this way?

SIR ANDREW LUSK said, the Secretary to the Treasury had stated that the Patent Office produced £181,000 to the State; but had it struck the hon. Baronet whence that sum came? It came from the poor fellows who devoted their time to patenting things for the benefit of society, and who were punished by this office in the shape of fines, penalties, and stamps, to the extent of £181,000 a-year. Surely, the office ought to be more moderate in its demands on that class of people. The truth of the matter was, that a gentleman with £10,000 a-year never invented very much, and the country ought not to make so much out of the brains of the poor, and often struggling, inventor.

MR. GREGORY said, the question of the Patent Laws, if discussed in all its bearings and operations, would be found to be a very large one. When it was said that an inventor ought not to be charged fees on securing a patent, they must remember that a patent was a monopoly which the patentee had the sole right to exercise, and it was for the interests of the public that persons to whom these privileges were granted should pay a contribution to the State on account of them. The Committee who had considered the whole question, and on which he served, had heard evidence on both sides—the hardships of charging fees, and the injury which would be done if they were not charged, by giving encouragement to frivolous or useless applications. As to the office keeper having many offices to look after, he might mention that they were very scattered; that, although in charge of one person, he must necessarily employ subordinates to do the work required of him, and, of course, he paid these persons out of his total salary of £416. Therefore, he did not receive nearly as much money for his services as the hon. Member for Stafford (Mr. Macdonald) seemed to infer.

DR. LUSH observed, that from the statement of the Secretary to the Treasury, it was clear that the efforts of genius were weighted to the extent of nearly £200,000 a-year in the shape of patents. It was to the interest of the country for those gentlemen, whose inventive power was used for the benefit of the nation, to see that the expenditure which they incurred should be diminished as much as possible. The arguments of the hon. Member for East Sussex (Mr. Gregory), to the effect that one person should have charge of these offices because they were not contiguous, did not at all apply—in fact, he considered it a reason why such office should be separately looked after. Although he supposed there was no wish to divide the Committee on this subject, yet he could not but consider that there was a great want of economy in leaving these four offices under the care of one man; and he hoped the Secretary to the Treasury would consider the matter, with the view of preventing such a discussion arising again.

MR. MACDONALD said, the hon. Member for East Sussex (Mr. Gregory) had stated that the office keeper paid his subordinates. If that were so, why was there a charge of £17 included in the Vote for office-washing? The chances were, that as such a charge was made in one case, that the office keeper had all his other payments made up to him. It was hard that men, who exhausted their time and energies in order to contribute their quota to the inventions of the day, should be so heavily weighted as to pay towards the support of a mere door or office keeper, who had £416 a-year. If sufficient reasons were not given to justify the item, he would divide the Committee on it.

MR. MELLOR said, no invention was perfect without the application of the technical knowledge of those who had practically worked the machine, and who, by their experience of defects in the mechanical construction of the machine, had suggested alterations equivalent almost to the full value of the invention itself, and yet all these inventors were taxed to meet the charges of the Patent Office. Considering that the explanations as to the whole Vote were not satisfactory, he moved that the salary of the Clerk to the Commissioners be reduced by £500 per annum. The Assistant Registrar, to whom they paid £600 a-year, was competent to discharge all the duties required, and as the duties cast upon the Chief Clerk were only ministerial, he thought the salary of the Clerk to the Commissioners might well be reduced by the sum he now proposed.

Motion made, and Question proposed,

"That the Item of £1,500, for the Salary of the Clerk to the Commissioners, be reduced by the sum of £500."—(*Mr. Mellor.*)

SIR HENRY SELWIN-IBBETSON quite appreciated the value of inventions; but, as he had pointed out before, the additional work which had been thrown upon the Patent Office in the last few years necessitated the employment of additional clerks. He would remind the Committee that they had nothing to do with the hardship to individuals consequent on the charges for patents; because they were at that moment considering the Estimates, and not the law relating to Patents. So long as the 15 & 16 *Vict.* lasted, the charges for Patents as now made must be continued, and no discussion of that kind, although it might be very proper and very fair on a question for the amendment of the Patent Laws, could prevent those charges being made. As to the Clerk to the Commissioners, he previously had £1,000 a-year, which, on the additional work to which he had referred being put on the office, was raised to the present amount.

MR. O'DONNELL admitted, that that was not the exact time to raise a general discussion on the principles of the Patent Laws; but he did not think it could be denied that advantages were obtained from discussing the operations of those laws when the Estimates were under consideration. One effect which such a discussion might have would be to induce the Government to take in hand the rectification of the existing law; and no better instance of the desirableness of such a change could be found than in the fact, as disclosed by that discussion, of Members of both sides of the House desiring an alteration. The hon. Baronet had defended the payment of such large salaries to officials in the Patent Office on the ground that the State benefited by that office. The proper thing would be to estimate the value of these officials to the country, and not allow any advantage to them because of the amount of profit brought in by the working of the

Patent Office. The working of that office, he was afraid, was in very many respects unjust to individuals and injurious to general interests. It might be quite true that men who derived an increased value for their property from public protection ought to contribute something to the support of the State which gave them that protection, and which enhanced the value of their property. That was a principle which he desired to see widely extended and carried much beyond the limits of the operations of the Patent Office. What he wished to see was, that anyone who made a profit in consequence of the protection of the State should pay to the Public Revenue a sum in proportion to, and corresponding to, the value which he derived from that State protection. The question was, whether the best time for levying these rates on inventions was after the property had begun to be valuable, or before it had come into existence at all? Hon. Gentlemen defended the levying of heavy stamp duties on applicants for patents; but would it not be much better to reduce this scale of duties, and then for the officers of the State to keep a sharp look out on the profits derived from the patents, and make a charge thereon?

THE CHAIRMAN reminded the hon. Member that the question before the Committee was the Amendment to decrease the salary of the Clerk to the Commissioners, and not the principle under which the charges for patents were levied.

MR. O'DONNELL said, he thought he had a right to reply to arguments used, seeing that the real question before the Committee was whether the Patent Office was too expensive? He confessed that he thought it was, and that some of the items charged for it should be reduced as far as possible.

MR. BIGGAR said, that this gentleman was only a kind of general overlooker, without any special knowledge or qualifications. He did not, therefore, think that he should be paid such a large sum by way of salary.

Question put.

The Committee *divided:*—Ayes 33; Noes 87: Majority 54.—(Div. List, No. 117.)

Original Question again proposed.

MR. O'DONNELL said, there was an item of £500 for the attendance of police at the Patent Office. He should like to know something of the rate of remuneration paid to the police, the reason he had for asking the Question being the extremely scanty remuneration allowed to the police in attendance at the House of Commons.

SIR HENRY SELWIN-IBBETSON said, that orders had been issued from the Home Office to the effect that, for the future, all police constables employed at the different Public Offices should receive the same remuneration as those who were in attendance at the House of Commons. The hon. Member must not forget that employment in the Public Offices was looked upon by constables as one of the prizes of the force.

MR. MACDONALD drew attention to the item for the salary of an office keeper of the Patent Office. The holder of that post, it seemed, also held several similar offices, receiving, in the aggregate, about £450 a-year. In his opinion, £200 a-year would be a very fair salary for a door keeper. He begged to move that the Vote be reduced by £185, paid to the door keeper of the Patent Office.

Motion made, and Question proposed,

"That the Item of £185, for the Salary of the Office Keeper, be omitted from the proposed Vote."—(*Mr. Macdonald.*)

MR. BIGGAR could not see on what grounds this gentleman was paid for washing out the office, while some charwomen were actually employed to do the work. He did not think the Government should oppose the reduction.

SIR HENRY SELWIN-IBBETSON said, that an office keeper must have some salary, and perhaps £185 was not too much. By giving the holder of the office several salaries for attending to several contiguous offices, an economy was effected. If this sum were omitted from the Vote, the keeper of the Patent Office would have no salary as such. With regard to the washing, for which £17 was allowed, it was paid for keeping clean the towels supplied to the officers of the establishment. A similar sum was paid in most offices for a like service, and were it not paid, an addition to the salary of the office keeper would have to be made in lieu thereof.

MAJOR NOLAN observed, that there was a great deal of dissatisfaction with respect to the Patent Office. A great deal of money was paid into that office, and an absurdly small sum was laid out. There was a bad library, and a very insufficient catalogue, at the Patent Office. No doubt, the officials were very polite; but much less advantages were enjoyed by inventors in this country than were conceded to them at the Patent Office in the United States.

THE CHAIRMAN reminded the hon. and gallant Member that the only question before the Committee was with respect to the item of £185 for the salary of the office keeper, and that he was not at liberty, at that point, to go into other matters.

MAJOR NOLAN said, he would reserve his remarks for another occasion.

MR. MACDONALD thought the explanations given had not been satisfactory. He felt bound to record his protest against the Vote by dividing the Committee on the question of the accumulation of offices on one individual. £400 a-year was far too much money to pay for keeping offices clean; while, at the same time, charwomen were paid for washing them out.

MR. T. CAVE remarked, that the keeper of the Patent Office must be a man of responsibility. He had to lock up a place, which contained many very valuable articles after the different officers had left; and was not a mere office cleaner, as had been suggested. He thought, therefore, that in a great Department like the Patent Office, the sum of £185 was not too large a salary for an office keeper.

MR. BIGGAR said, that the salary was not too much, if the holder of it performed his duties. But, as he held several similar offices, the duties must evidently be left to subordinates. He should suggest that three persons should be selected to fill the other offices held by the keeper of the Patent Office.

MR. MACDONALD said, that as nearly all the Public Offices opened and closed at similar hours, it was clear that the holder of those various offices must do his work by deputy in three of them, as he could only be in one place himself. He strongly protested against delegated responsibility, and would divide the Committee upon the matter.

Question put.

The Committee *divided*:—Ayes 15; Noes 108: Majority 93.—(Div. List, No. 118.)

Original Question again proposed.

MR. O'DONNELL found an item down of £150 a-year for the Lord Chancellor's Messenger. He was unaware of the special functions of the Lord Chancellor's Messenger, or whether they could be performed by some of the other very numerous messengers in the Public Service. There were 20 first-class messengers at £94 to £109 a-year; 9 second-class at £55 to £91 a-year; and, again, in the Designs' Registry, there were others. He, therefore, begged to move the reduction of the Vote by £150.

Motion made, and Question proposed,

"That the Item of £100, for the Salary of the Lord Chancellor's Messenger, be omitted from the proposed Vote."—(*Mr. O'Donnell.*)

SIR HENRY SELWIN-IBBETSON explained that the Vote was for the subsistence allowed the Messenger when travelling, and for other necessary expenses. The item was placed in this Vote under the 40 & 41 *Vict.* c. 41, which authorized the employment of this officer.

Motion, by leave, *withdrawn.*

MR. O'CONNOR POWER drew attention to the item of £3,820, for the cost of advertising the Stationery Office in *The London Gazette.* A foot-note in the Estimates stated that this item did not represent an actual cost transaction, but the amount that would have been paid to *The London Gazette* for 16 advertisements at the usual rate. He could not understand this; for, if really paid for advertising, it would be a very large amount, while, if not paid, such an item ought not to be put in the Estimates. He would merely call the hon. Baronet's attention to the item, as, probably, among multitudes of others, it had escaped his attention.

SIR HENRY SELWIN-IBBETSON said, that the receipts of the Patent Office justified the increase that had been made in the salaries of the officials within the last year or two. With respect to the advertisements, money was never paid for advertisements of this kind; but the amount which they represented was inserted under its proper head in the Estimates, the advertisements which emanated from the Stationery Office being debited to that Department.

MR. BIGGAR thought the time had now arrived when the question of the Patent Office generally should be raised. The hon. and gallant Member for Galway (Major Nolan) had pointed out that the Patent Office was conducted in a very improper manner, and that very large fees were charged to patentees, and little or no return was made to them. The Government did not go to the expense of supplying a proper museum for patents; nor did it give a complete list of patents. Patentees were in some respects a very worthy class, for they went to a great deal of trouble and expense, and frequently ran the risk of considerable loss. There ought to be a better mode of ascertaining what patents had been already granted. In one instance he knew of, the patentee of an improvement in iron shipbuilding had his invention used by the British Government; but, when he asked for payment, it was refused, and that although the invention was perfectly new and had never been used before. In his opinion, the system of patents should undergo thorough revision and improvement in the interests of patentees. He would give another illustration of the working of the present system by stating what had happened to a person he was acquainted with. A small manufacturer of machinery invented some improvement; but a person saw it while advancing to completion, and got a large sum from some persons in Scotland for the patent, while the real inventor obtained nothing.

MAJOR NOLAN wished for some information from the Government as to whether they intended to bring in a new Patent Law Amendment Bill that Session? The charge for patenting inventions was really a tax on the inventor. The Government ought to bring in a Bill at an early period to prove that they were earnest in the matter, for on previous occasions they had never attempted to press it to a second reading. In the United States, the system of cataloguing was very superior to that adopted here. An inventor was put to immense trouble in the London Patent Office, in going through long specifications and obscure drawings, and had great difficulty in finding out what had been previously patented. On taking up an American catalogue, an inventor had simply to turn it over and find a few pictures—something between freehand drawing and engineering sketches—which explained in a general way what patents were about, and thus saved an infinitude of trouble.

MR. MONK said, he thought some explanation was necessary as to the cost of the Patent Office, in reference principally to the charges included in the Estimates for the cost of lithographing designs and printing specifications, which were included in applications for patents. He could have understood this increase, if the applications for patents had also increased in number, and the fees paid by applicants had also, of necessity, been larger; but he found that the contrary was the case. There certainly was an increase in the fees for patents to the extent of £1,000 on the year; but the charges for printing and lithography in connection with the Patent Office had risen from £10,600 to £15,700. On the face of the Estimate, it certainly seemed strange that the increased revenue should be so largely out of proportion with the expenditure, and he hoped that a sufficient explanation would be forthcoming.

MR. O'CONNOR POWER said, he had personally inspected the Patent Office in Washington, to which his hon. and gallant Friend the Member for Galway (Major Nolan) had referred. The building had since then, unfortunately, been destroyed by fire; but the lithographed drawings of the inventions patented were saved, and they had been so well executed that, although the deposited models were burnt with the building, there could be no difficulty in constructing fresh models with the assistance of the drawings. This, he thought, showed the importance of preserving accurate lithographs of the models which were deposited in the Patent Office in London.

MR. MUNTZ said, he was bound to corroborate the statements which had been made by the hon. and gallant Member for Galway as to the necessity for some alteration in the Patent Laws. During the last three or four years, Bills with that object had been introduced and passed by the House of Lords; but the House of Commons had allowed them to drop without even taking the trouble to examine the measures. As an instance of the necessity of amending the law, he might mention that if an Englishman patented an invention, however great the expenditure might be —and it was almost prohibitory to a poor man—he was bound within a certain time to manufacture a certain number of the articles which he had patented, and to offer them for sale, or the patent lapsed; but this was not the case with a foreigner, who might patent an invention, and then, without impairing his patent right, refuse either to make and sell the patented articles, or to grant licences to any other persons to make them. The Remington rifle afforded a case in point. If the patentee would grant licences, English manufacturers could make the weapons at about two-thirds of the price charged by the American patentees; but he had refused to do so, and still retained his patent rights.

Mr. BELL agreed in thinking that the Patent Laws required amendment, and suggested that some steps should be taken to guard against any number of persons patenting the same idea, which was constantly done under the operation of the existing law.

Sir HENRY SELWIN-IBBETSON admitted that the whole subject of the Patent Laws was one well worthy the consideration of the House. It had, as a matter of fact, already occupied the attention of both branches of the Legislature on more than one occasion; but he was afraid that, in view of the progress which had been made with Government Business in the course of the present Session, it would not be possible for the Government to introduce a Bill on the subject of the Patent Law in the course of the present Session. In answer to the hon. Member for Gloucester (Mr. Monk), he had to say that the increase in the item for the Stationery Office was due to reforms in the management of the Department which had been introduced at the instance of his hon. Friend the Member for North Lincolnshire (Mr. Winn), and would result in a considerable saving as far as the Stationery Vote in the aggregate was concerned.

Major NOLAN said, he was not quite satisfied as to the cataloguing of patents, and again asked who was responsible for the way in which the work was or was not done? He did not think the Government ought to be satisfied with the way in which the work was now done; the Members of the House generally were certainly not satisfied, and as a Bill on the question was not to be introduced this Session by the Government, he thought some further explanation ought to be given forthwith. He had no doubt that a clever mechanic could make a good model of an invention from the existing drawings, in case the original model was destroyed; but for purposes of reference, he thought care should be taken to preserve a sufficient number of drawings and specifications in reference to any inventions that might be patented. In this respect, he thought the English law relating to patents was very much behind the law which existed in America. He should like to know whether there was any intention, on the part of the Government, to adopt an improved system of cataloguing patents?

Sir HENRY SELWIN-IBBETSON said, he was not in a position to say more than that it was in contemplation to improve the system by means of which the existing Patent Law was administered, and, at the earliest possible moment, to amend the law itself.

Original Question put, and *agreed to.*

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £20,247, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Department of Her Majesty's Paymaster General in London and Dublin."

Mr. O'DONNELL said, that notwithstanding the exalted position of the Paymaster General, he seemed to receive no salary, a fact which he should like to have explained. He supposed that the right hon. Gentleman who held the office did not figure for a salary in connection with this particular office, because he was paid for some other office which he held under the Crown. This plurality of offices was to his mind very unsatisfactory, and he should be pleased to see it abolished; but he supposed it could not be done in the course of the present Session. There was another fact in regard to the Vote to which he wished to call attention—that was the comparative smallness of the salaries paid in Ireland and England. He found that in the Dublin branch of the Office there was employed a charwoman who only received 7*s.* per week. He should have thought that a Liberal Government would have been able to afford a little higher wage than this to the poor old creature; because, looking to the wages paid to similar people engaged in the English branch of the Service, it appeared that the charwomen were paid 12*s.* a-week at the Mint in London.

MR. O'CONNOR POWER said, he was prepared to grant that a charwoman could live more cheaply in Dublin than in London; but even that fact did not justify so great a disparity as existed between 7*s.* a-week and 12*s.*, for doing precisely the same kind of work. Looking through the whole list of officers and salaries, he found that the salaries paid were in inverse ratio to the duties performed; and he could not help thinking, therefore, that the Government ought to consider the amounts paid to the humbler officials who received salaries barely sufficient for their maintenance.

MR. MACDONALD said, he had again to call the attention of the Committee and the public to the plurality of offices and salaries in the Public Service. He found, that under the present Vote, one of the clerks received, in addition to his salary of £400 a-year, £50 per annum for certain duties he was supposed to perform in connection with the verification of Income Tax Returns. If the same persons were engaged in trading or manufacturing pursuits, and by means of rules, arrangements, and combinations among themselves, were able to draw three, four, or five distinct sets of wages, there would be an outcry raised against them, and he could therefore see no reason why they should be allowed to do it in the service of the country.

SIR HENRY SELWIN-IBBETSON said, that whatever might be urged against a plurality of offices and salaries in some branches of the Public Service, the objection did not apply in the present instance, inasmuch as the additional £50 a-year were paid for extra services performed in the office from which the gentleman received the larger salary of £400. The salary was simply divided, instead of being paid in a lump sum. With regard to the fact of the Paymaster General appearing to receive no salary, he must say that the office was formerly filled by a gentleman who held other offices; and the present holder of the position, having been abroad as one of the Commissioners connected with the purchase of the Suez Canal Shares, whilst resigning the lucrative appointments he held prior to going out, resumed the duties of this particular branch of those appointments on his return, without any amount being set down for his salary as Paymaster General. With regard to the wages paid to the charwomen in Dublin and London, he could only say that the amount was regulated by the laws of supply and demand, which were in turn regulated by the cost of living in the two cities.

SIR JOSEPH M'KENNA said, the sum of 7*s.* per week was, to his knowledge, much less than was paid to any decent charwoman in any private office in Dublin, and he hoped, at least the ordinary scale of payment might be applied in this case.

SIR GEORGE CAMPBELL said, he noticed a charge of £30 per annum for a "non-resident housemaid," and asked for an explanation. He knew absenteeism was the curse of Ireland, but was not prepared for absentee housemaids.

SIR HENRY SELWIN-IBBETSON said, the explanation simply was that the housemaid in question did not live on the premises where her duties were performed.

MR. BIGGAR called attention to the fact that an item appeared in the Vote for the salary of a Deputy Treasury Remembrancer and Deputy Paymaster in Ireland. He asked for information as to the date of the appointment and the duties which were done in exchange for a salary of £1,300 a-year, originally fixed at £1,200?

SIR HENRY SELWIN-IBBETSON said, the office was created in 1871, and the fact that the salary now paid was different from that originally fixed was that the office had been re-organized since it was created.

MR. O'CONNOR POWER said, he had been struck by the phraseology used in drawing the Estimates. The hon. Member for Kirkcaldy (Sir George Campbell) had drawn attention to the "non-resident housemaid;" he might also have informed the Committee that there was a sum set down for the payment of "redundant clerks." A Society had been established in Ireland for the preservation of the Irish language; and he thought it would not be amiss to start a similar Society on this side of the Channel for the preservation of the English language.

Mr. MELDON said, he had often wondered what the office of Treasury Remembrancer was. The Committee had been told that the office was created in 1871; but he, on the other hand, had heard a rumour that it was not a new creation at all, but was an old office which had been suddenly resuscitated for the benefit of a gentleman who had been sent to Ireland from England.

Sir HENRY SELWIN-IBBETSON said, he found the office in existence at the time when he went to the Treasury, and he had been informed that it was created in the year 1871—beyond that he could say nothing.

Mr. MELDON said, he should ask for further information on this and other kindred questions on the Report.

Mr. BIGGAR suggested that one of the right hon. and hon. Gentlemen on the front Opposition bench, who were in Office in 1871, should give some information as to the creation of the office. The salary paid seemed to him to be out of proportion to the duties attaching to it, and he should, therefore, move to reduce the amount by £200.

Motion made, and Question proposed,

"That a sum, not exceeding £19,047, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Department of Her Majesty's Paymaster General in London and Dublin."—(*Mr. Biggar.*)

Mr. O'SHAUGHNESSY observed, that although he was not a Member of the late Government, yet he knew, and, indeed, it was perfectly well known in Ireland, that this Treasury Remembrancer (Mr. Herbert Murray) was sent over by the late Government, in order to introduce economy in the Public Offices of that country, whether they were "redundant" or not. That gentleman had been the main source and mainspring of all the economy that had been effected in Ireland of late years. If the doctrines of Mr. Herbert Murray were more completely carried out, a great many of the redundant offices in Ireland would be suppressed.

Sir HENRY SELWIN-IBBETSON said, the last speaker had correctly stated that the duty of this officer was to assist economy in every possible way he could.

Mr. O'CONNOR POWER said, these professions of economy were all very well, but the result of this gentleman's labours was to present the Committee with an increase of £989 on the Estimate of last year.

Mr. MELDON did not know whether this gentleman was a deserving officer or not, but he was rather inclined to doubt it. Last year, or the year before, he was in the Four Courts in Dublin, when he saw a troop of soldiers in red uniforms marching by with a civilian at their head. He endeavoured to follow them, but they eluded him, for they appeared to have gone down into the bowels of the earth. The next day, about the same hour, he was pursuing his avocation in the Four Courts, and he noticed a body of soldiers in white uniforms, led by the same civilian. He discovered that the civilian was Mr. Herbert Murray, who was discharging his duties as economiser in Dublin. It appeared that certain contracts for coals had been entered into, and that there was likely to be a large loss in consequence thereof. A question had arisen as to whether the coals were Scotch coals or Welsh coals, and Mr. Herbert Murray placed himself in command, first of Scotch soldiers, and secondly of Welsh soldiers, in order to explore the cellars of the Four Courts, and to ascertain whether the contract of coals had been properly carried out or not. That, in his (Mr. Meldon's) judgment, was not a proper way of conducting such a business. He thought there was not a proper inspection. It was alleged that much benefit had been derived from Mr. Murray's labours; but he maintained that the Treasury had no right to create a situation of this kind for any purpose whatever; and he wanted to know whether there was any legal justification for this gentleman having a very substantial salary? He thought the Committee ought to be on its guard against the creation of such offices. If, when the matter came up again on the Report, it should turn out that the appointment had not been legally made, he should certainly move to reduce the Vote.

Question put, and *negatived.*

Original Question put, and *agreed to.*

(6.) £8,353, to complete the sum for the Public Works Loan and West India Islands Relief Commission.

(7.) £18,277, to complete the sum for the Public Record Office.

(8.) £39,553, to complete the sum for the Registrar General's Office.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £376,545, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Stationery, Printing, Binding, and Printed Books for the several Departments of Government in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, Printing, and Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office."

SIR H. DRUMMOND WOLFF asked for explanations respecting the sums paid to officers of the War Office and the Admiralty, for assisting in the preparation of the *Army List* and the *Navy List*?

SIR HENRY SELWIN-IBBETSON replied, that the sums were paid because special knowledge was required in the preparation of these Lists.

MR. O'CONNOR POWER said, every Member of the Committee must admit, that as far as writing materials in the House were concerned, there was no cause whatever of complaint. He thought, however, there was a subject of legitimate complaint with regard to the unwillingness or inability of the Printing Department to forward Parliamentary Papers beyond a radius of four miles from the House of Commons. When hon. Members were called upon to pay so large a bill, they ought, at least, to have the satisfaction of knowing that they obtained the worth of their money, and that they got the work thoroughly well done. It was very inconvenient to Members to have to pay a heavy postage on their Parliamentary Papers if they chanced to live beyond four miles from the House of Commons. He hoped the hon. Baronet (Sir Henry Selwin-Ibbetson) would see his way to effecting some improvement in this direction. He thought that no hon. Member living in London ought to have any difficulty in getting his Parliamentary Papers free and at a reasonable time.

SIR HENRY SELWIN-IBBETSON said, it was not the duty of the Stationery Office to deliver the Votes. That rested with the Vote Office of this House, and was regulated by the Speaker and the officers of the House. As attention had now been called to the matter, it would, no doubt, come under the notice of those who were responsible for the delivery of the Votes.

SIR GEORGE CAMPBELL pointed out that a new item had been introduced of £3,000, in the shape of a special grant for the preparation and publication of *Hansard's Debates.* He desired to know what arrangements had been made with reference to the reports published by Mr. Hansard?

SIR HENRY SELWIN-IBBETSON said, the arrangement made for the payment of the £3,000 was a temporary one for this Session only. That sum was to be paid for a Report of discussions in Committee, and of other Business of the House. Last Session, attention was called by one or more hon. Members to the incompleteness of the Reports of the proceedings in the House for purposes of reference. The present Leader of the House, accordingly, thought it right to make an experiment, in order to see whether a more complete record of the proceedings of the House for purposes of reference was valued by hon. Members. For that reason, the present item for a definite sum had been introduced into the Estimate.

SIR H. DRUMMOND WOLFF said, he must revert to the question of the *Army* and *Navy Lists.* In the case of the *London Gazette,* money was obtained by the sale and advertisements, and the sums were here stated. He fancied that the *Army* and *Navy Lists* must likewise bring in a considerable revenue. There were advertisements in both those publications, and the sale must be very large; but he observed no entry under these heads.

SIR HENRY SELWIN-IBBETSON imagined that the receipts from these publications were entered under some general heading. He would, however, make inquiries, and endeavour to explain to his hon. Friend on another occasion what was the real state of the case.

Mr. MELDON said, it appeared that *The London Gazette, The Edinburgh Gazette,* and *The Dublin Gazette* realized large profits. The charge for advertisements in those papers was extremely high, and pressed very heavily on the public. Many advertisements were required by Acts of Parliament to be inserted in *The Gazettes,* and it appeared to be a great hardship that the public should be obliged to advertise in those papers, if the cost was larger than it would be in any other papers, supposing that the advertisers were at liberty to make a selection.

Sir ANDREW LUSK desired to say a few words on the item relating to the publication of *Hansard's Debates.* It would be remembered that the Chancellor of the Exchequer put this down as one of the Supplemental Votes, and asked for £100 in order to raise a discussion, so that the subject had already been before the Committee in that shape. But the right hon. Gentleman shunted the general discussion to some more convenient season, and the present time, it appeared to him, was a convenient season to speak about it. He regretted that the Chancellor of the Exchequer was not in his place to explain why the item had been introduced. He did not know whether this was a proper sum of money to expend for such a purpose. He did not speak much in the House himself, but other hon. Members did. The positions which hon. Members occupied in the columns of the newspapers differed very considerably. Every Minister, of course, got a long account of his speech; but when A or B spoke, the reporter wrote—"After a few words from so and so." When somebody else addressed the House, the report would go on to say—"After a little conversation," and so forth. He thought the Chancellor of the Exchequer was quite right in taking measures to secure the publication of something like a fair abstract of the speeches delivered in the House. They did not want very long reports of speeches, but reports condensed in an intelligible manner. What was required was a fair abstract of the speeches which were delivered in the House, and, as far as he could see, *Hansard* had latterly given a fair abstract of the proceedings. They considered themselves to be a very important Assembly, and they naturally thought that there ought to be a reliable account of their proceedings. Looking at *Hansard's Debates,* he was of opinion that that publication did now give a fair abstract of the proceedings of the House of Commons. He congratulated the Chancellor of the Exchequer on having had the courage to put this item in the Estimate, and he hoped the House would agree to it. He believed that brighter days were coming with regard to the reports of Parliamentary debates.

Mr. SULLIVAN was not aware whether any Minister had offered an explanation of the new arrangement with Mr. Hansard, and had stated how long it was to last. If an explanation had been offered, he could only express his regret that he had not been present to hear it, because he was most anxious to know exactly what was proposed to be done. He hoped, however, that whatever was done would be of a temporary nature; for he thought the Government ought to appoint a small Committee to inquire into what was practicable, as well as desirable, in this matter. They would then find that some hon. Members were acquainted with reporting, and that much more than they anticipated might be done for a moderate sum of money. There would be ample time to consider the subject between now and next Session. With regard to the remarks of the hon. Baronet the Member for Finsbury (Sir Andrew Lusk), as to the excellent plan of reporting speeches in abstract, he (Mr. Sullivan) thought it would be a great deal better if they were spoken in abstract.

Sir HENRY SELWIN-IBBETSON said, he had already stated that this sum had been put down for the present year in order to test the work which was being done. It was proposed that, with a view to future reference, a more complete account of the discussions of the House should be printed.

Mr. O'DONNELL observed, that this question of *Hansard's Debates,* and the advantage of having an improved record of the proceedings of the House, ought not to exclude what was the main ground of complaint with regard to the reporting of speeches. He knew that on two or three occasions, both this year and last year, and he believed in previous years also, the arrangements for reporting speeches in the House were made the subject of complaint both in the House and also, he believed, by the Speaker. The Speaker's advice was asked upon the question. The readiness of hon. Members to subsidize *Hansard's Debates*, ought, by no means, to allow them to forget that the arrangements for reporting the debates in the House were extremely defective. Those arrangements were especially defective as regarded the Irish Members and the representation of Irish newspapers. An abuse—for it was nothing less than a very serious abuse—had grown up, by which a monopoly of the reporting of the debates of the House was given to the London newspapers. This was a very serious matter. Practically, it resulted in the habitual dissemination of most erroneous and misleading reports on the numerous Irish questions of importance.

The CHAIRMAN intimated that the hon. Member for Dungarvan (Mr. O'Donnell) was not addressing his remarks to the merits of the question under consideration. The Vote had reference to the debates in *Hansard*, and not to the reports published in particular newspapers.

Mr. O'DONNELL proceeded to say, that for the purpose of raising this discussion, he objected to this subsidizing of *Hansard's Debates*, inasmuch as that proposal was calculated to divert the attention of the Committee from a much more important question—namely, the general reporting of the debates of the House.

The CHAIRMAN, again interposing, pointed out that the hon. Member for Dungarvan would have an opportunity of calling attention to that subject on another occasion. The question now before the Committee was, whether the grant for *Hansard's Debates* should be paid for out of this Vote? It was not competent for the hon. Member to enter into the general subject of reporting the debates in journals which were not subsidized.

Mr. O'DONNELL said, that in point of fact, *Hansard's Debates* were compiled from a Press representation which did not include any Irish journals. This circumstance re-acted against the value of *Hansard's Debates*, as records of the Parliamentary action of Irish Members in the present Parliament.

The CHAIRMAN pointed out, that that subject was very remote from the question before the Committee, which had reference to a special grant for *Hansard's Debates*. On this Vote, the hon. Member for Dungarvan could not raise a question as to whether the Irish Press was represented or not in the Reporters' Gallery.

Mr. BIGGAR thought that, according to the Chairman's ruling, he should be able to show that the hon. Member for Dungarvan was thoroughly in Order. As he understood the matter, Mr. Hansard did not have a reporter in the Gallery under his own control and in his own pay; but he took his summary from one or other of the London morning papers. Well, those papers did not interest themselves about Irish questions, and the practical result was that Irish questions were more or less overlooked. On the other hand, if the Dublin papers, which naturally took a special interest in Irish subjects, were represented in the Gallery, the result would be that *Hansard* would have another selection, instead of being obliged to rely on the London morning papers. On that ground, he thought the hon. Member for Dungarvan was in Order in his line of argument. He might, perhaps, be mistaken in supposing that Mr. Hansard had not a special reporting staff of his own; but he understood that Mr. Hansard had not, and he had always understood so.

Sir HENRY SELWIN-IBBETSON believed the object of the Vote under discussion was, that Mr. Hansard should have in the House a reporter, who would take particular cognizance of the debates. and who would more completely represent what took place than the ordinary staff of a newspaper could possibly do. In order to get this more complete record, a special reporter had been placed in the Gallery, and this item had been submitted to the consideration of the Committee.

Mr. O'DONNELL wished to urge, as an additional reason, that in the case of *Hansard's Debates*, whenever a question of their general accuracy arose, a mistake attributed to an English Member could be corrected by a representation being made to the London Press, whereas there was no check whatever on *Hansard's* accuracy as long as the Irish Press was excluded from the House. He thought that the Irish Press ought to be represented, in order to afford a check which would secure that the public duty entrusted to *Hansard* would be properly performed.

The CHAIRMAN here pointed out again to the hon. Member for Dungarvan, that the question before the Committee was the particular Vote respecting *Hansard's Debates.* It was not competent for the hon. Member to travel away from the subject, by raising a question as to the propriety or otherwise of the Irish Press being represented in the Gallery of the House.

Mr. O'CONNOR POWER understood the right hon. Gentleman the Speaker was responsible for the arrangements in the Gallery, and he might make some provision in the direction required.

Mr. GRAY thought the discussion of this subject might be avoided, provided the hon. Baronet the Secretary to the Treasury would take into his consideration the desirability of referring the whole question to the investigation of a Committee. He desired to keep strictly to the question before the House, and he said distinctly that the reports of Mr. Hansard were not accurate, and they were not worth the sum it was proposed to pay for them. The Secretary to the Treasury had just told them that it was proposed to give this extra sum of £3,000 for a reporter of Mr. Hansard's in the House. Now, he could say, from his own knowledge, that it was beyond the physical powers of either a reporter, or two or three reporters, to accurately report all the proceedings of the House. A large staff of reporters was required to do that. Therefore, if the hon. Baronet was correct in saying that the Vote was for only a reporter, it was a piece of extravagance, because it was impossible for a reporter to do the work. As a matter of fact, the way the work was done was this—the reports of newspapers were reprinted a week or 10 days subsequently to the delivery of the speeches, and the speeches, short or long as they might be, were sent by Mr. Hansard to the Gentlemen who had delivered them for correction. If an hon. Member thought fit to elaborate his speech of three lines to three columns he could do so, and send that back to Mr. Hansard, and it would appear in the reports as if it was the speech which had been delivered in the House. If the hon. Member did not think proper to do this, his speech would appear in *Hansard's* reports in the mutilated form in which it might have been published in some paper. Every hon. Member knew that, in making this statement, he was speaking the truth; and, therefore, without at all discussing the general question, he said the reports of Mr. Hansard were comparatively worthless, owing to the way the work was performed. In the first place, the reports were not sent in proper time to Members for correction, and, in the second place, they were not taken by reporters who were specially engaged by Mr. Hansard for the purpose. The reports in *Hansard* were simply reports taken from the newspapers, and Mr. Hansard must depend upon the accuracy of the newspapers for what he published.

Mr. O'DONNELL said, he had no alternative but to move the rejection of the item proposed to be voted to Mr. Hansard, and he did so on the ground that if the Press in general was excluded from this House a semi-official report of the debates would be highly injurious, because there would be no control over its accuracy; and when one portion of the Press was excluded, as was now the case, to that extent the reports must also be untrustworthy as a record of what they required. He had desired to point out that the exclusion of the Irish Press was a reason for saying that there was a want of public control over *Hansard's Debates;* but as the Chairman had ruled that he could not bring this matter forward, he would refrain from doing so, though he confessed he could not see the ground for the ruling of the hon. Gentleman. No record of the proceedings of this House could satisfy the public which might not be fairly compared with the reports of the public Press, and at present a most important portion of that Press was excluded from the House. He begged to move the omission of the item for £3,000.

Motion made, and Question proposed,

"That the Item of £3,000 for the Special Grant for Hansard's Debates, be omitted from the proposed Vote."—(*Mr. O'Donnell.*)

Mr. FORSYTH said, when he first saw this large item of £3,000, he was rather startled by it; but he had ascertained the facts to be these—Mr. Hansard had been put to considerable expense in order to try this experiment, and in order to carry out the wishes of the House. In order that the proceedings in Committee and after midnight should be reported at greater length, Mr. Hansard engaged the reporters on the newspapers, and paid them extra for the services they performed for him. The consequence was that, under this system, they would have, in the course of this year, much fuller and more satisfactory reports of their debates than they had hitherto had. It was not as if they were going to vote this sum for no additional work. Mr. Hansard was endeavouring to carry out the wishes of the House, and, in doing this, he had to incur considerable expense; and, therefore, under these circumstances, he did not think £3,000 was an unfair sum to give him.

MR. GRAY said, he was loth to interfere again in the discussion of this question, but he desired to answer some remarks which had been made. [While the hon. Member was speaking there was an interruption.]

MR. SULLIVAN rose to Order. He was not an old Member of the House, but he did think it had traditions of which it was proud with regard to the conduct of its Members. He had been long enough in the House, he was sorry to say, to have witnessed a sad decadence in this respect, and he had seen imported into their debates mimicry and the cries of animals. He had heard at that moment one of those cries, and he called attention to it, because it was the second time he had heard such an interruption that night. It had evidently been done with a view to disparage his hon. Friend while he was addressing the Committee; and, when they found that a Prime Minister could be hooted at in the Lobby, when cock-crowing could be indulged in from behind the Speaker's Chair, and when the mewings of cats could resound through the House, he thought the time had arrived when some hon. Member should rise and invoke the past memories of the House.

THE CHAIRMAN: The hon. and learned Member for Louth has called the attention of the Committee to a circumstance which appears to me to be one very much to be regretted. When the hon. Member for Tipperary (Mr. Gray) was first addressing the Committee, I heard some such disturbance as that to which reference has been made, and I at once endeavoured to put a stop to it. On the second occasion, the sound had not distinctly reached me; and I feel certain any hon. Member, who has so far forgotten the respect due to the Committee as to indulge in such interruptions, will not repeat the conduct after the public notice which has now been taken of the matter.

MR. O'CONNOR POWER said, after the statement just made by the Chairman, it would be only a graceful act for the hon. Member who was in error to rise in his place and apologize for the insult he had offered to the dignity of the Committee. An hon. Member near him (Mr. R. Power)—in fact, two hon. Members—were in a position to state who the hon. Member was, and if the hon. Member himself did not come forward and apologize for what he had done, he hoped his name would be made known. Some time ago, when an hon. Member misconducted himself in the Lobby, the matter was brought before the House, and the hon. Member had to apologize; and in this case he did not think the hon. Member complained of ought to be allowed to remain silent under the condemnation which he had received from the Chair. If he was worthy of his position as a Gentleman in that House, he would at once get up and apologize; if not, he ought to be named.

THE CHAIRMAN: I will point out to the Committee that, when the ruling of the Chair has been invited on a particular subject and it has been given, it is not customary to pursue the discussion when that ruling is not disputed.

MR. O'CONNOR POWER said, what he desired to do was to call attention to a new feature in this case. Two hon. Gentlemen near him were in a position to name the offender, and the question was whether he was to be dragged to justice, or would voluntarily come forward and pay the only retribution in his power to the offended dignity of the Committee by making an apology?

MR. MACDONALD said, he was in a position to point out the hon. Member who had interrupted, and if he did not rise in his place and apologize, he should adopt the suggestion which had been made and name him, because this was not the first time things of this kind had occurred in the same quarter.

Mr. DODSON said, it appeared to him very undesirable that this matter should be pursued further, especially after the ruling which had been given by the Chair. He would, however, submit to the Committee, as a point of Order, if it had been intended to proceed against any hon. Member who it was alleged had been guilty of indulging in un-Parliamentary sounds, attention should have been directed to the conduct the moment it took place. In this case, several hon. Members had addressed the Committee since the offence was first committed, and now attention had been drawn to the matter, he thought it was not desirable they should pursue the subject further.

Mr. O'SHAUGHNESSY said, although he was in a position to name the hon. Member who had offended, yet he was only one among many, and therefore it might be hard to particularize him; besides which, he hoped that the lesson which the hon. Member and others had received that evening, would prevent a repetition of their conduct.

Major NOLAN said, he was rather surprised the right hon. Gentleman the Member for Chester (Mr. Dodson) should have suggested that this subject should be allowed to drop; because he was the very right hon. Member who, when there was cock-crowing from behind the Chair, drew the Speaker's attention to it.

Mr. DODSON said, the hon. and gallant Member for Galway was perfectly right. He (Mr. Dodson) did rise, and call the attention of the Speaker to the un-Parliamentary sounds which were uttered on the occasion referred to; but he rose the instant they were uttered, and, having drawn forth the Speaker's ruling on the subject, he rested satisfied, and he did not endeavour afterwards to call attention to any particular Member who had been guilty of the conduct.

Mr. GRAY said, he did not pay any attention to the interruptions, nor did he intend to draw the Chairman's notice to them. Personally, he attached very little importance to what had taken place. He regarded it as an evidence of the Darwinian theory of the development of species. He was told the hon. Member could imitate the sounds of other animals in a much more natural manner. Why the few observations he was about to address to the Committee should have aroused the animosity of the hon. Member, he was as a loss to conceive. What he wanted to say was, that he was loth to vote on this question without some further explanation. Was Mr. Hansard only to have one reporter in the Gallery, or were a number of the representatives of the Press to be subsidized by Mr. Hansard, simply because they had seats in the Gallery? The Committee was entitled to explanation on this point.

Sir HENRY SELWIN-IBBETSON stated, that this sum of £3,000 had been placed in the Estimates in order to attempt to fulfil the implied wish of the House as expressed last year, which was that they should have fuller reports of their proceedings for the purpose of reference. Mr. Hansard was by no means limited to one reporter. He engaged to do the work for the sum put in the Estimates, and he could employ one or more reporters as he desired; and he thought anyone who had seen the reports which had lately been published would testify, as he could, to the fact that they were far more ample than they were prior to this arrangement being entered into. Hon. Members had an opportunity, if they cared to avail themselves of it, of correcting their remarks, and they could make any additions which they thought necessary, so that the report should be perfectly intelligible. All that was aimed at was a record of the proceedings of the House more ample in the future than it had been in the past, especially as regarded proceedings in Committee.

The CHANCELLOR of the EXCHEQUER: Perhaps some hon. Gentlemen may not be aware of what passed earlier in the year. My hon. Friend the Secretary to the Treasury has correctly described what has been done as an experimental arrangement with Mr. Hansard, with a view to obtain a more perfect record of the proceedings of the House in the volumes which are delivered to us; but it may be a question whether that will altogether meet the wishes of the House with regard to improvements in our reports. Earlier in the year, I stated that it was my intention to move for the appointment of a Select Committee to inquire into the whole question. I have not hitherto done so, partly because a good many of the Members who, it might be thought desirable, should serve on that Committee, are already engaged on the Committee which has been sitting on the Business of the House. In a few days, however, I will give Notice for a Committee on this question; and when that is appointed, there can be an investigation of the experimental arrangement which has been made with Mr. Hansard, and also ageneral inquiry into any other alterations which may be deemed expedient in the system of reporting our debates. I take it for granted that we shall now proceed to vote Mr. Hansard this sum for the present Session, because the new arrangements he has made have involved some expense which he ought to be paid, although it does not bind the House to any permanent arrangement.

MR. GRAY said, he was perfectly satisfied with the explanation of the right hon. Gentleman, and he should not press the matter further.

SIR ALEXANDER GORDON hoped that part of the duty of the Committee would be to ascertain whether it would not be possible to have the debates reported by the following day. He had been making inquiries on the subject, and found that in Paris, the United States of America, and Victoria, the debates were published the next day; and he believed a very small addition to the sum they were now asked for would secure their being able to have the reports by 4 o'clock the next day. A verbatim report of the previous day's proceedings would be of the greatest use, especially when important debates were proceeding, and it was desirable to know what had been stated previously. He hoped the Committee about to be appointed would take that matter into their consideration, because he was satisfied it could be carried out for a very small additional expense.

MR. RYLANDS considered the Government had taken a very wise course in proposing this experimental proceeding; and he thought, by this subsidy, they would find the reports of their debates very much improved, and that they would give greater satisfaction to the Members than they had hitherto done. No doubt, the Committee which the Chancellor of the Exchequer proposed to nominate would investigate the whole matter, and in the meantime he was glad the Government had placed this item in the Estimates.

MR. MELDON said, there was one point which he should like to have cleared up. The number of subscribers to these debates had hitherto not been very large; and, as under this new arrangement the size of the volumes would be increased, he wished to know whether the price would also be increased? If the annual subscription remained the same as it was at present, he thought the experiment might prove a successful one; though, if the price was to be increased, he did not think such would be the case.

THE CHANCELLOR OF THE EXCHEQUER said, it was distinctly understood that the price of the set for the Session should not be increased, although the reports would be considerably longer than under the present arrangement.

SIR ANDREW LUSK said, he had already stated that he was in favour of the Vote, and all he had now risen for was to draw attention to a remark of the Chancellor of the Exchequer which he thought ought not to pass without notice. The right hon. Gentleman was going to appoint a Committee to inquire into the whole of this matter, and, though there were 650 Members of the House, he seemed to think there were only some 25 or 30 who were fit to serve on such a Committee. He protested against this idea, because there were plenty of Members, besides those who were on the Committee on the Business of the House, who were qualified to sit on this new Committee.

MR. D. DAVIES trusted the Committee would give instructions to Mr. Hansard to cut the speeches short. He should, for instance, be very sorry if Mr. Hansard was to be compelled to report the remarks which had been made during the last half-hour. To do so, would be to make the reports so voluminous that they would not be able to make anything out of them. He should be willing to pay Mr. Hansard for cutting down the speeches, and giving those simply which were worth preserving, and nothing more.

MR. O'DONNELL presumed, from the statement of the Chancellor of the Exchequer, that the general question of reporting would come before the Committee, and, as he approved of *Hansard's* reports as far as they went, he would, with the permission of the Committee, withdraw his proposal to omit the sum of £3,000.

Amendment, by leave, *withdrawn.*

Original Question again proposed.

Mr. BIGGAR desired to have some explanation from the hon. Baronet the Secretary to the Treasury in reference to a sum of £300, which was given to the Controller, as stated in the Estimate, "in lieu of residence surrendered." It would be in the recollection of most hon. Members that last year there was some discussion on the question of the appointment of the Controller of this Department; and what he should like to know was, whether this gentleman had ever really occupied this residence, or was the sum of £300 given to him in lieu of something which he never possessed? He observed that the salary of the Controller was £1,000 a-year.

Sir HENRY SELWIN-IBBETSON explained that the office of Controller carried with it a house; but, as it was found necessary for office purposes to make use of that part of the building which had been appropriated to a residence, the sum of £300 was added to the salary of this gentleman as house rent in lieu of the house which otherwise he would have occupied as the officer in charge of the establishment.

Mr. BIGGAR expressed himself dissatisfied with the explanation of the hon. Baronet, which, in fact, did not differ from the foot-note to the Estimate. The official house formerly assigned to the Controller was at present occupied as offices, and Mr. Pigott, a young gentleman, was put into this position over the heads of the other persons in the Department in order that he might get an allowance of £300 a-year for a residence which he had never occupied, and which, probably, would have been thoroughly unsuitable for him had he done so. It seemed to him that a house for the Controller could be got for a very much less sum than £300 a-year in some other part of London; and, looking at all the circumstances, he thought it was a continuation of the job of last year. Therefore, he begged to move that the Vote be reduced by the sum of £300.

Motion made, and Question,

"That a sum, not exceeding £376,245, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Stationery, Printing, Binding, and Printed Books for the several Departments of Government in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, Printing, and Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office,"—(*Mr. Biggar,*)

—put, and *negatived.*

Original Question again proposed.

Whereupon Motion made, and Question put,

"That a sum, not exceeding £376,445, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Stationery, Printing, Binding, and Printed Books for the several Departments of Government in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, Printing, and Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office."—(*Mr. Biggar.*)

The Committee *divided* :—Ayes 26; Noes 278: Majority 252.—(Div. List, No. 119.)

Original Question again proposed.

Mr. O'DONNELL said, he would direct attention particularly to the very remarkable item of £800, which was set down as the salary of the editor of *The London Gazette.* Any person who was acquainted with the Press must be aware that £800 a-year was a very fair remuneration for high-class journalistic work, and the editor of *The London Gazette* did not do any journalistic work of any high description whatever. Any hon. Member who glanced at that paper would at once see that it was not distinguished in any respect for its composition, the refinement of its style, or its generally high-class tone. It was a pure combination of matter with scissors and paste, and clerks and compositors were the only persons required to bring it out. The post of editor—especially an editor with £800 a-year—was a pure superfluity. It might, perhaps, be called more rightly something worse than a superfluity. To give a gentleman, who did no work for the money, £800 a-year, was very much like establishing a good old national job. The editor of *The London*

Gazette was not a real editor. The salary of £800 a-year was entirely out of proportion to the services he performed. He had no doubt whatever that the gentleman, who was put down as clerk at £400 a-year, really did all the so-called editorial work; and there was, therefore, no reason for maintaining this editorial salary in the Estimates. If he were in Order, he would propose the omission of that item.

THE CHAIRMAN said, the hon. Member could not propose to omit the item, but he could move to reduce the entire Vote.

MR. O'CONNOR POWER remarked, that while the hon. Member for Dungarvan was considering that point, he rose in the interest of Public Business to call attention to other matters. They had had occasion to discuss at great length that evening the expenses connected with the Patent Office. He found in that Vote for the Patent Office, including registry of designs and trademarks, a sum of £17,429. He wished to say that, after all that had been said upon the important privileges of the Patent Office that night, he did not, of course, regard this £17,000, in addition to the other sum of £56,000, as at all a very extravagant amount; but the objection he had to this item was that it was not particularized. He was asked to assent to a Vote of £18,000 for the Patent Office, and it was under the head of Stationery and Printing. Perhaps the hon. Baronet the Secretary to the Treasury could give the Committee some idea of how their relations with the Patent Office could justify so large an expenditure. Then, the Committee would find £2,505 charged for stationery for the Convict Department, and £1,508 for *The Police Gazette.* These seemed to be large items, and he desired some explanation regarding them?

SIR HENRY SELWIN-IBBETSON did not think the charge for stationery for the Convict Department a large sum, considering the number and size of the establishments, and the amount of correspondence which took place. As to the £17,500 for stationery for the Patent Office, that was included in the Vote for the Stationery Offices, and taken under that Vote.

MR. O'CONNOR POWER was desirous that the same sum should not be voted twice for the same purpose. Of course, if there was but one Vote to be taken, that was all right; but, at the same time, he considered the Estimates misleading.

SIR HENRY SELWIN-IBBETSON said, the whole subject of the way in which these accounts were presented to Parliament was under the consideration of a Committee of the Treasury; but, at the same time, in answer to the hon. Member, he might say it had been considered just as well to give the House the fullest possible information, showing what the cost of each particular Department was.

MR. PARNELL asked the Secretary to the Treasury, whether the Committee had as yet voted the sum of £3,450, for allowances to Irish and Scotch Law Officers? He did not understand that it had.

SIR H. DRUMMOND WOLFF did not consider that the editor of *The London Gazette* had at all too large a salary. In the first place, he was responsible for the collection of the money for advertisements in *The Gazette.* Besides which, as every advertisement in the paper was to a certain extent a legal document, each required attention as to accuracy, and the editor was responsible for their being accurate. Therefore, what with being responsible for the collection of the income and the correctness of the advertisements, he thought the salary of £800 a-year was not too much to pay.

MR. GRAY said, there was a small item of £100 charged for clerical assistance in editing *The Dublin Gazette;* but, as far as the Estimates were concerned, *The Edinburgh Gazette* must do its own editing, for there was no charge for that work. *The Edinburgh Gazette* and *The Dublin Gazette* required as much care and responsibility in their editing as *The London Gazette;* and yet, while nothing was voted for the Scotch *Gazette,* and £100 a-year for the Irish, there were charges of £2,000 for editing the *London Gazette.* Doubtless the matter was capable of explanation, but he was curious to hear the cause of the difference in the three cases.

SIR H. DRUMMOND WOLFF said, the charge for *The Edinburgh Gazette* was included in the Scotch, and not in the English Vote. While the income of *The Edinburgh Gazette* was £3,449, and of *The Dublin Gazette* £1,120, that of *The London Gazette* was £58,000.

Mr. GRAY impressed upon the hon. Baronet the Secretary to the Treasury, the advisability of having the accounts for this kind of work put together, so that a comparison might be easily instituted.

Mr. O'DONNELL said, the fact that a large sum was realized by the insertion of advertisements in *The London Gazette* was no reason why an officer who was engaged upon that journal should be over-paid. The editor of *The London Gazette* got £800 a-year, and the question was, what he did for that money? He believed the clerks did the work, and certainly they were amply paid to look after the printing of a paper and the correct insertion of advertisements. They had been told that the scale of charges for advertisements in *The London Gazette* was altogether too high. Therefore, if they were going to be liberal with the money *The Gazette* produced, instead of paying £800 a-year to an officer who did nothing, they should, to an extent corresponding with that sum, reduce the charges for advertisements. Then they would be getting rid of the balance of profit in a manner much more agreeable to the general public. The editor of *The London Gazette* could not be said to do editorial work. There were clerical duties to be performed, and clerks carried them out, and it was quite out of the question to give £800 a-year to a gentleman who did a very inferior kind of sub-editorial duty. He considered that £250 a-year would be sufficient for such services; but, as it was, he would move to reduce the Vote by £400, leaving this nominal editor with a salary of £400.

Motion made, and Question proposed,

"That a sum, not exceeding £376,145, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Stationery, Printing, Binding, and Printed Books for the several Departments of Government in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, Printing, and Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office."—(*Mr. O'Donnell.*)

Sir PATRICK O'BRIEN said, the question of salary for the editor of *The London Gazette* was not a new one. Ten or 15 years since there was a discussion raised on the point, and Lord Palmerston, then the Prime Minister, said there was no Profession in the country for the benefit of which patronage was so little exercised as the Press. His Lordship pointed out that there was an advantage in having such an office as editor of *The London Gazette*, where not much work had to be done, to which a Pressman might be appointed. Such an exercise of patronage was but a graceful compliment to the Press of this country; and he (Sir Patrick O'Brien) thought Members of the House of Commons the last persons who ought to oppose the payment of £800 a-year to the editor of *The London Gazette.*

Mr. SULLIVAN was sure the Press of this country did not need an office of this kind to be held out to it by the Government as a morsel of patronage. The Press of this country would not, for the sake of one situation or hundreds, barter its proud boast of being, perhaps, the only Press in Christendom, which was not subject in any way to the blandishments of those who were in Office.

Mr. CHARLES LEWIS agreed with the hon. Baronet opposite (Sir Patrick O'Brien) as to the reasons given by Lord Palmerston for appointing the former editor of *The Observer* newspaper to be editor of *The London Gazette.* It had been the practice formerly to give the situation to a lawyer; and, although he was inclined to think the expenses of bringing out *The Gazette* were too high, he would remind the Committee that there was hardly an advertisement in *The Gazette* which was not inserted there by the authority of some Act of Parliament, which rendered it very desirable that a legal gentleman should have the supervision of the establishment, so as to see that every legal condition was properly performed. He did not say that, when it was remembered that £400 a-year was paid to the chief clerk and £800 to the editor, there was not some room for economy; but he considered the present was not the time to carry out such an alteration. To call the gentleman who had £800 a-year an editor was a misnomer; but he had very responsible duties to perform in connection with the publication of the paper, and he was answerable for everything going on properly.

Sir HENRY SELWIN-IBBETSON said, it was quite true that considerable responsibilities attached to the staff of *The London Gazette;* but, at the same time, he could assure the Committee that the question of economy in the carrying out of the duties of the office had not been lost sight of, and it would be adopted as opportunity offered.

MR. O'CONNOR POWER said, it was undoubtedly true that the editor of *The London Gazette* was not actually an editor in the sense of writing articles for his paper; but, as had been so well pointed out by the hon. Member for Londonderry (Mr. Charles Lewis), he was responsible for the strict accuracy of what appeared in *The Gazette,* and that was a responsibility which did not attach to an editor of any of the leading newspapers in London. He did not think his hon. Friend the Member for Dungarvan (Mr. O'Donnell) ought to divide the House on this item of the editor's salary, especially, as if he looked over the other Votes, he would find many instances in regard to which he could display his economical desires.

MR. PARNELL, while not desiring a division on the item, said, the only way to draw attention to it was to move to reduce the Vote, and no doubt the hon. Member for Dungarvan had secured his ends by the course he had pursued. He was glad to hear the Secretary to the Treasury say it was intended to economize in this Department when occasion arose; and, under these circumstances, he hoped the hon. Member for Dungarvan would not divide the Committee.

MR. O'DONNELL intimated that he did not wish to divide the House.

Question put, and *negatived.*

Original Question again proposed.

MR. O'DONNELL, referring to the item for Printing, said, the printers of Dublin had recently made an effort to increase their rate of wages; and, while successful to some extent, it had not altogether succeeded. Among the employers who had most rigidly opposed the increase in the wages was the Government Printing Department. They had refused to increase the rate, and the men refused to work. The Government Department then endeavoured to import men from England and Scotland; but, true to the principles of the Printer's Union, the men would not go to Dublin. It was now alleged that some system of "jobbing" had been adopted, by which the Government printing was done outside Dublin—he believed outside Ireland—by which means the masters gave no extra money to their old hands, and satisfied the scruples of English and Scotch printers not to work in Dublin. He hoped on the Report the hon. Baronet would be able to give information on the matter. Still, he thought all would admit that the Government Printing Department in Dublin ought not to push economy to the extent of stinginess, especially when that economy affected, not persons receiving comfortable incomes, but poor, working operatives. He also wished to call attention to page 132 of the Estimates, whereon was an item of £289 in respect of the Queen's University. The Irish Members objected to the whole principle upon which grants were made to the Queen's University; and, as there would not be much chance of fairly discussing the matter that night, he hoped the Government would not object to the Motion which he would now make for reporting Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Donnell.*)

SIR HENRY SELWIN-IBBETSON said, that the item of £289 was put down on account of the stationery to be supplied to the Queen's University in the ensuing year. The precise sum that appeared in the Statement in the Estimates was chosen, because it was the grant made in the Vote for 1876-7. He did not think it was convenient to discuss the question as to the Queen's University on that Vote. A better opportunity of discussing it would be found when the Vote for that Institution came on.

MR. SULLIVAN said, that Irish Catholic Members had pledged themselves not to allow a penny to be voted for the Queen's University on any pretence whatever. They would take every legitimate means of recording their protest against the system of forcing money on Ireland to support an Institution which she detested.

SIR HENRY SELWIN-IBBETSON observed, that they were not then discussing the Vote for the Queen's University, but only the expenses of the Stationery Department. The amount for the stationery of the Queen's University was only placed in the explanatory Table to this Estimate because it was the sum spent in the year 1876-7.

Mr. GRAY observed, that if the hon. Gentleman the Secretary to the Treasury would assure the Committee that the Vote they were now asked to pass did not include anything for stationery to the Queen's University, the Irish Members would not pursue the question further. As he understood the matter, if the Vote were passed, the stationery would be supplied to the Queen's University.

Mr. O'CONNOR POWER suggested that the question of supporting the Queen's University might be tested by fixing upon some individual item and dividing the House upon it. That could be done on the present occasion, and it was immaterial whether the Vote was retrospective or prospective. There was another aspect to the question. It was then 10 minutes after the respectable hour for reporting Progress in Supply, and he hoped the hon. Member would persevere in his Motion.

Sir HENRY SELWIN-IBBETSON pointed out to the Committee that where an Estimate was made for stationery expenses, it was impossible to say absolutely what particular amount would be required. The amount estimated for that year was the amount supposed to be spent on stationery last year, and when they came to the Vote for the Queen's Colleges, then would be the time to strike out the allowance for stationery. If the Vote were refused, there would be so much extra to be paid in the next year. The amount supposed to be necessary for the supply of stationery to the Queen's University was now included in the Estimate, and if not expended for the purposes of the Queen's Colleges, the money would remain to the credit of the Exchequer.

Sir JOSEPH M'KENNA hoped that the Committee would reduce the Vote for Stationery by the sum which it was estimated would be necessary to supply the Queen's Colleges.

Mr. LYON PLAYFAIR observed, that the only chance of passing the Vote was by consenting to divide at once upon a proposal for its reduction by the sum of £289. The Queen's University must be supplied with a considerable amount of stationery for examination papers and with printing; therefore, practically, this included a Vote for the Queen's University. The Irish Members had a right to object to it, and, although he would not vote with them, it would facilitate Business if, instead of a protracted discussion, a division were at once taken.

Mr. PARNELL said, that as he understood the proposition that had been made, it was that they should then reduce the stationery voted by the sum of £289, the amount estimated to be necessary for the supply of the Queen's Colleges in Ireland. Then they could discuss the principle of supporting the Queen's University on the Motion for voting its Supplies, and they could, at the same time, take the Vote for Stationery to be supplied to it. That was a very simple plan, and, if in accordance with the Rules of the House, he should hope the Government would assent to it.

Mr. MACARTNEY protested against its being said that Irish Members were unanimously opposed to the grant for the Queen's Colleges in Ireland. He believed that there would be a considerable contingent of Irish Members sitting on that side of the House who would vote for the grant.

Major NOLAN observed, that the opponents of the grant amongst the Irish Members were about three to one compared with those who supported it. Twice before the Government had tried to coax them to vote a supply for the Queen's University, but they had refused to do so, and their refusal had had a very excellent effect upon Ireland. A great many people liked their dividing on the subject, and, as they found their constituencies were supporting them, they would have a good many divisions on the question.

The CHANCELLOR of the EXCHEQUER said, the Government could not consent to withdraw the sum proposed in the Vote for Stationery to be supplied to the Queen's University. If hon. Members objected to the Vote, they would have an opportunity of making their protest. It was impossible to say exactly what proportion of the money voted would be spent on the Queen's University. But, as in former Estimates, the amount spent had been £289—that might fairly be considered as about the amount required in the next year. If the Government did not press the Vote, it would look like flinching. But it was open to those who opposed the expenditure of public moneys for the Queen's University to move to reduce the Stationery Vote by the sum estimated.

MR. PARNELL appealed to the Chancellor of the Exchequer to postpone the Vote for the Queen's Colleges until such time as the principle of the grant could be fairly and reasonably discussed. The right hon. Gentleman had promised Irish Members a fair opportunity for discussing the matter, and he now called upon him to fulfil that promise.

SIR HENRY SELWIN-IBBETSON said, that the question now before the Committee was, whether a particular sum of money should be voted for the Stationery Department. It was for the Committee subsequently to decide whether the Queen's Colleges should or should not continue. If the Vote for the University were to be struck out, no stationery could be supplied to it, and the money voted would remain in the Stationery Office as a surplus due to the Exchequer. It did not by any means follow that because the Committee voted that particular sum of £289, that the money would go to the Queen's Colleges.

SIR JOSEPH M'KENNA said, the proposal was to reduce the Vote by £289, the Estimate for Stationery for the Queen's University, otherwise it would be supposed that they had consented to an expenditure of public money for that Institution.

MR. BIGGAR said, he never had any very high idea of the ability of the Chancellor of the Exchequer. ["Oh!"] If hon. Members objected to the phrase he had used, he would at once withdraw it and apologize to the Committee; but he must be permitted to say that he thought the proposal of the right hon. Gentleman a very unreasonable one. What he (Mr. Biggar) wished to do was to move to report Progress, in order to discuss the question which had been raised; and he saw no means of doing it in any other way, for it seemed to him to be little short of absurd to hope for a satisfactory discussion of the question on a Motion to reduce the Vote at that hour of the morning. Let Progress be reported, and Supply put down as the first Order of the Day on the next Government night, and then there could be no difficulty in the matter. The Votes occupied five pages of the Paper, and required a considerable amount of discussion. He did not think, therefore, that——

THE CHAIRMAN pointed out that any discussion of the Estimates generally on the particular Motion before the Committee would be out of Order.

MR. GRAY did not think it could be pretended that a reduction of this Vote by a sum of £300 could interfere with the efficiency of the Stationery Department, and they only wished for such reduction in order not in any way to be committed to even a nominal acquiescence in the Vote for the Queen's Colleges. If the Queen's University Vote was passed subsequently, the Government would still have sufficient money—after having assented to the reduction now proposed—to supply the Colleges with all the stationery they might require.

MR. CHARLES LEWIS said, that as far as he knew, a large majority of the House were in favour of the continuance of the Queen's Colleges, and he thought it would, therefore, be disastrous to make a concession of the kind involved in the proposed reduction of the Vote. If the Government gave up the Vote, or assented to its reduction, it would go forth to the whole United Kingdom that they were assenting to the views of those who wished to see the whole of the Queen's Colleges in Ireland and the Queen's University abolished.

MR. LYON PLAYFAIR said, he had not proposed or suggested that the sum of £289 should be withdrawn by the Government, but only that the sense of the House should be immediately taken on that item. All he had ever intended to suggest was, that the Irish Members ought not to be prevented in any way from discussing this particular sum for the Queen's Colleges. He, for one, could not support an attempt to discuss the large question of the Queen's Colleges on a Vote of money for the purchase of stationery. There would be other opportunities open to those who wished to state their objections to such institutions, and to get the opinion of the House concerning them.

MR. PARNELL thought the hon. Baronet the Secretary to the Treasury was, unintentionally no doubt, misleading the Committee; because there could be no doubt as to the fact that if the present Vote was passed, there would be no opportunity of dealing with the subject-matter of it when the Vote of money for the Queen's Colleges came to be considered in Committee. That Vote included no sum for stationery; and, therefore, if the amount now asked was voted, the Committee would be to that extent sanctioning the principle that Parliament ought to grant public money for the support of the Colleges. He, for one, was tired of voting against these Queen's Colleges after 1 o'clock in the morning, and asked the Chancellor of the Exchequer not to compel hon. Members to express their opinion on the general question by means of side issues, but to give facilities for a fair and full discussion.

THE CHANCELLOR OF THE EXCHEQUER said, he should fulfil the promise that had been given, to afford as full facilities as possible for the discussion of the Vote for the Queen's Colleges; but he must contend that the question did not arise upon the present Vote. If the Vote was agreed to, the amount of it would be at the disposal of the Stationery Department for the general purposes of the Office, and not for any particular branch of the State in which stationery was required. It ought, therefore, to be clear that the Vote for the Queen's Colleges could not possibly be prejudiced by passing the one now before the Committee; because, if the Committee, on a subsequent occasion, decided to negative the Vote for the Colleges, the heads of the Stationery Department would find it unnecessary to spend all the money that was voted to them—money that was voted in a lump sum, and not split up into particular items.

THE O'CONOR DON appealed to hon. Gentlemen below the Gangway not to divide the Committee on the proposal to report Progress, because an opportunity would be afforded later of discussing the whole question of the Queen's Colleges. There was no Member of the House who would oppose the granting of money for the Queen's Colleges more strongly than he would, and he would vote with them against the Estimate; but he deprecated continuing, or attempting to continue, a discussion on the Motion to report Progress with reference to a point which the Chairman had ruled to be out of Order.

SIR JOSEPH M'KENNA said, it was perfectly true that the Vote before the Committee was not the Queen's Colleges Vote, but was one for the stationery; but it must be well known that in former years a part of a similar Vote had been devoted to the supplying of the Queen's Colleges with stationery; and, therefore, it was fair to assume that, in passing the Vote, the Committee was virtually, though not nominally, assenting to the making grants of public money for the maintenance of the Queen's Colleges in Ireland. He therefore thought there could be no objection to a proposal to decrease the Vote by £300, that being about the sum expended in the supply of stationery to the Queen's Colleges, as shown by the Return now before the Committee.

MR. O'SHAUGHNESSY said, as he understood the suggestion of the right hon. Gentleman the Member for the University of Edinburgh (Mr. Lyon Playfair), it was that the proposal to reduce the Vote should be withdrawn, and that the Committee should divide upon the whole Vote, whilst those who opposed the Queen's Colleges' grant stated their reasons for so objecting. That was a suggestion he could not adopt, because, if any hon. Members had a right to divide against the Vote, they had also a right to state their reasons for so doing. Although no actual sum was mentioned in the Estimate as being meant to be applied to the purchase of stationery for the Queen's Colleges, it was perfectly well known that a part of it would be so applied, and therefore there was a clear right to object to money being so expended. On former occasions Votes had been objected to, on the ground that portions of them might be expended in carrying out the provisions of Acts of Parliament to the principle of which hon. Members were opposed. Such objections had not been ruled out of Order, and he contended that the present Vote ran perfectly on all-fours with those to which he referred. For years the Representatives of nine-tenths of the Irish people had been trying to get even moderate justice done to them in reference to this question of University Education, and had failed. They now, therefore, found themselves driven into the painful—and some hon. Members might think unconstitutional—course, of having to oppose the principle to which they strongly objected, on the Vote for the expenses of the Stationery Department. Constant promises, constantly broken, to deal with the Irish Education Question, had driven the Irish Members into the adoption of a course which they would have gladly avoided, in order to induce the Government to fulfil their often-repeated promises.

MAJOR NOLAN contended, that by assenting to this Vote, the Irish Members would be giving up the position to which they had committed themselves; and they would be told this very distinctly by their constituents if, after consenting to this Vote, a General Election took place before the Chancellor of the Exchequer had fulfilled his promise to give an opportunity for discussing the question of the Queen's Colleges in Ireland.

MR. O'CONNOR POWER said, everything seemed to turn upon the question of whether the present was the proper occasion for considering the often-repeated promise of the Chancellor of the Exchequer to give an opportunity for discussing the question of the grants made to the Queen's Colleges. In the course of the debate, the Chancellor of the Exchequer had admitted that the Committee could not agree to this Vote without, to an extent, assenting to the principle of making grants of Imperial funds towards the maintenance of the Queen's Colleges in Ireland.

THE CHANCELLOR OF THE EXCHEQUER: I beg the hon. Member's pardon. What I stated was exactly the contrary of what he has ascribed to me.

MR. O'CONNOR POWER said, he understood the right hon. Gentleman to say that the Committee could not allow this Vote to be agreed to unopposed without compromising the opposition to the Queen's Colleges.

THE CHANCELLOR OF THE EXCHEQUER said, he had, in his former speech, admitted the perfect liberty of any hon. Members to move the reduction or rejection of the Vote; but he added that if the Vote was adopted in its entirety, it would not compromise the question of the Queen's Colleges; because the Committee could afterwards discuss the question of the Institutions to which the Department should supply the stationery which the Vote would enable them to purchase.

MR. O'CONNOR POWER said, this was an argument which had been urged again and again; but he did not think it could be maintained that the position of those who opposed the making of grants to the Queen's Colleges would not be compromised if they agreed to a Vote of money, a part of which was to be expended in the supply of stationery to those Colleges. If they voted against the question at such an hour as had been reached, they would certainly be whipped; and he, therefore, thought that, under all the circumstances, it would be much fairer for the Government to report Progress.

MR. SULLIVAN said, the grievance complained of by the Irish Members was not a sentimental one, and could not, therefore, be disposed of by each opponent making one speech, and then quietly accepting a Vote of the Committee of the House. The question was one which must be, and would be, fought inch by inch and penny by penny if necessary. They were determined to show to England and the world that it was the votes of English Members that was thrusting upon Parliament money for a purpose which was hateful to the majority of the Irish people, and they could only do this by dividing upon every Vote that could possibly affect the question, until the Government saw fit to give them an opportunity of discussing the whole matter at a period of the House's Sitting when their speeches could be reported through the newspapers which got into the hands of the people generally.

Question put.

The Committee *divided*:—Ayes 34; Noes 200: Majority 166.—(Div. List, No. 120.)

Original Question again proposed.

MR. PARNELL said, he wished to make one more appeal to the Chancellor of the Exchequer upon this subject, in order, if possible, to get the full opportunity which had been promised of discussing this question. To vote this sum for stationery, a part of which was to be supplied to the Queen's Colleges, was, in his view, just as much a Vote on account of the College as would be a Vote for the salaries of the Professors or Examiners; and, therefore, he thought the Committee was justified in opposing it. There was no ground for the Government opposing the Irish Members on this point; and he hoped they would be saved the trouble of walking through the Division Lobbies all night, losing their tempers with each other, and taking a course which was scarcely consistent with the character and dignity of the House. He therefore moved that the Chairman do now leave the Chair.

Mr. BIGGAR, in seconding the Motion, said, he thought the Government were taking a very unreasonable course in reference to this matter, by insisting at so late an hour upon proceeding with a Vote upon which there was much to be said on both sides of the House.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Parnell.*)

Major NOLAN said, the last division had shown the opinion of the Irish Members, a very considerable majority of whom had voted in favour of the proposal to report Progress. He, therefore, hoped the matter of the stationery for the Colleges would be allowed to stand over until the general question of making grants of any kind to these Institutions had been discussed and decided.

The CHANCELLOR of the EXCHEQUER observed, that he did not wish to keep hon. Members there all night, and if they were serious in wishing that Progress should be reported, he would not resist it. He, however, wished to point out that, whether they struck out £300, or any other sum from the Vote in respect of the Queen's Colleges, the opponents of the grant would not be one hair's breadth nearer gaining their point. For, if they were to reduce this grant by £300 and do nothing else, the Queen's Colleges would have the grant made to them from the special Vote. Therefore, whether the sum was larger or smaller in the present Estimate, did not make one iota of difference. Perhaps, between that night and Thursday, hon. Gentlemen would be able to consider the matter.

Mr. PARNELL asked for leave to withdraw his Amendment. He must, however, state that it seemed to him that if the Vote were reduced by the sum of £289, the Department would not have sufficient money to meet the charges for stationery to Queen's University, which would be left without any.

Motion, by leave, *withdrawn.*

Resolutions to be repeated *To-morrow;*

Committee also report Progress; to sit again upon *Wednesday.*

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL—[Bill 44.]

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

COMMITTEE. [*Progress 4th April.*]

Bill *considered* in Committee.

(In the Committee.)

[A.M. 2.10]

Clause 1 (Extension of Acts prohibiting sale of intoxicating liquors to the whole of Sunday).

Mr. M'CARTHY DOWNING moved that Progress be reported. He could not think that the hon. Member for Roscommon (the O'Conor Don), who had charge of the Bill, intended to proceed with it at that hour. He trusted that the majority of the Committee would consider that they ought not to enter on a question of this kind at 2 o'clock in the morning.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. M'Carthy Downing.*)

The O'CONOR DON said, that if the opinion expressed by the hon. Member for Cork was that of the majority of the Committee, he would not say more on the subject. But the view he took was that this Bill was one of no ordinary character. The mode in which it had been met on previous occasions had been of no ordinary nature. The Bill had been over and over again discussed, and there was no Amendment upon the 1st clause of the Bill, the principle of which had not been considered before. Neither was there anything in the Bill that required either discussion or report in the newspapers. All that could be said for and against the Bill had been already said. The Bill had been met by very strong opposition, and the opponents would use every Form of the House to defeat it, and prevent its becoming law, and he thought it not unreasonable that the promoters should use all the forms of the House to pass it. He only asked that the Committee should now pass the first clause, and that proposition he did not think was unreasonable.

MR. ONSLOW thought it somewhat unreasonable that the Committee should be asked at that hour to pass the 1st clause of the Bill, when there were eight or nine Amendments to it on the Paper.

MR. KING-HARMAN said, that although he had certain doubts as to whether this measure would be beneficial to the Irish people, yet he recognized the fact that the majority of the people of Ireland had petitioned to Parliament in its favour. He did not see why they should delay the Business of the country by adjourning the debate. Their main object was to see the people protected against a most deleterious vice.

THE CHANCELLOR OF THE EXCHEQUER wished to say one word with regard to the position of the Government to the measure. If there were to be a fair discussion of the 1st clause of the Bill, he should be prepared to continue the Sitting; but if the night were to be spent in mere Motions for Adjournment and reporting Progress, the Government would do nothing at all. The Government would be willing to sit down if there were to be a real *bonâ fide* discussion, otherwise they must support the Adjournment.

THE O'CONOR DON was afraid that the effect of the remarks of the Chancellor of the Exchequer would be to produce the very result which he did not desire; for he had pointed out to the opponents of the Bill that they had only to declare their intention to occupy the time in obstruction, to induce the Government to take up their side. The inevitable result would be that the opponents of the measure would adopt the suggestion thrown to them. But, whatever course the Government took, he should feel bound to press the Committee to proceed with the Bill, though, of course, if the majority were against him, he must bow to their decision.

MR. O'SULLIVAN supported the Motion to report Progress. The promoters of the Bill had abandoned its most vital principles in allowing public-houses in the principal cities of Ireland to be opened from 5 A.M. to 2 P.M.

MR. O'CLERY remarked, that the Government had pledged itself to support the Bill, and it was not fair to withdraw at that period. The whole subject had been discussed over and over again, and the Government ought to facilitate its being then proceeded with.

MR. O'CONNOR POWER remarked, that since 4 o'clock that afternoon he had not, as some hon. Gentlemen appeared to have done, absented himself from the duties he had to discharge as a Member of the House in order that he might be refreshed for giving opposition to the Bill; and he was prepared to remain there until 4 o'clock to-morrow afternoon if the hon. Gentleman (the O'Conor Don) wished to proceed with the measure. With reference to the remarks of the Chancellor of the Exchequer, that right hon. Gentleman appeared to him never to lose an opportunity of drawing comparisons. He would remind him, however, that when certain Irish Members objected to the progress of particular Business, they did so because the matter had not been discussed at all. This, however, was a question which had been debated over and over again.

MR. COLLINS said, he had been engaged for some hours in the course of the afternoon in endeavouring to effect an arrangement which, he thought, was a reasonable one, and which, in his opinion, might well be accepted by the promoters of the Bill. The proposal which he had submitted to his hon. Friends was, that if they would accept the principle of the Amendment which stood in his name——["Order!"]

THE CHAIRMAN pointed out that the hon. Member would not be in Order in raising a discussion on his Amendment at the present stage.

MR. COURTNEY desired to remind the Chancellor of the Exchequer of a remark which he made on a former occasion—that the conduct of a Bill involved a good deal more than the particular law proposed to be introduced. The right hon. Gentleman had said that it involved the question of the preponderance of a majority of the House over a rebellious minority; and he had administered a not undeserved rebuke to a right hon. Member who appeared to have acted upon an opposite view. On this occasion, however, the action of the Chancellor of the Exchequer amounted to a suggestion as to how the progress of the Irish Sunday Closing Bill might be stopped—how the enemies of the measure might impede its progress. No doubt, it was, under ordinary circumstances, perfectly just and right to say that the Bill should not be proceeded with after 2 o'clock in the morning; but the circumstances of this case were wholly exceptional, and he thought it was the duty of the right hon. Gentleman to state how, on a future occasion, he proposed to promote the progress of the measure.

Question put.

The Committee *divided*:—Ayes 78; Noes 97: Majority 19.—(Div. List, No. 121.)

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Major O'Gorman.*)

Mr. SULLIVAN thought the time had now come when the Government ought to make some statement in explanation and vindication of their conduct. The promoters of the Bill had been assured that if the Amendments of the Government were accepted, facilities would be afforded for the passing of the Bill. What facilities, however, had the Chancellor of the Exchequer offered to them on this occasion? So far from having held out any facilities, the right hon. Gentleman had suggested to the opponents of the measure—no doubt, unwittingly—how it might be strangled this evening. The Chancellor of the Exchequer was perfectly aware of the object of those hon. Members; he knew quite well that unless the Government interfered, they had only to persevere in the course they had hitherto adopted in order to defeat the measure. [Major O'Gorman: Hear, hear!] It was obvious that the hon. Member for Roscommon (the O'Conor Don) could not carry the Bill unless the promises of the Government were fulfilled, not in any deceptive, but in a thoroughly substantial manner. There was a petty handful of Irish Members who were endeavouring to trample on the will and wish of their own country; and, if the Government would do nothing more than offer another few hours at a Morning Sitting for a discussion of the Bill, those hon. Gentlemen had only to talk against time in order to defeat it. He put it to the Government whether the hon. Member for Roscommon had not kept faith with them as to the acceptance of their Amendments, and whether, although he had done so, they had not done their utmost on the present occasion to strangle the Bill? He warned the Government that in Ireland, when what had just occurred became known, the feeling would prevail that the Government had broken faith with the hon. Member; that, after having given a public pledge, they had kept it only in a deceptive spirit, and had betrayed the interests of the people of Ireland.

The CHANCELLOR of the EXCHEQUER said, he had sat a good many years in the House, and it had been his lot occasionally to hear unfair speeches; but he thought he had never listened to a more thoroughly unfair speech than that which had just been delivered by the hon. and learned Member for Louth. He was astonished that the hon. and learned Member should have accused the Government of being false to their promises. What was the position which the Government had taken up on this matter, and on what foundation did the hon. and learned Member dare to say that they had violated their pledges while the hon. Member for Roscommon had not broken his? What the Government had said in regard to the Bill they had said throughout—that they were prepared to give facilities for its consideration, if those who were promoting it were willing to accept certain Amendments. That was what they said some time ago, and that was what they said now. No doubt the hon. Gentleman (the O'Conor Don) had adopted the Amendments of the Government; but was that any reason why, at such an hour of the morning (half-past 2) the Government should assist in keeping a House, after they had been distinctly warned that time was to be wasted in factious opposition? The hon. and learned Member for Louth had himself got up and informed the Committee in an emphatic manner of what was going to happen; and, in order to save the time of the House from being wasted, and the character of the House from suffering from divisions upon divisions on mere questions of Adjournment and reporting Progress, he had said that he was not prepared to recommend the House to go through a night of that kind. In these circumstances, he had certainly voted for an Adjournment of the Debate. The hon. and learned Member (Mr. Sullivan) might ask, was that the way to help the Bill? But he would point out to him, that if it had not been for the course of obstruction which had been pursued by certain hon. Gentlemen earlier in the evening—a course of obstruction which had been carried on in the most unreasonable manner he had ever known——

Mr. PARNELL rose to a point of Order. The Chancellor of the Exchequer was evidently about to enter into an argument as to the way in which the opposition to a previous Vote had been conducted; and he desired to ask whether the right hon. Gentleman would be in Order in doing so?

The CHAIRMAN said, it would, of course, be out of Order to enter into any detailed discussion regarding the manner in which the previous debate had been carried on, or the arguments which had been used in the course of it as to a particular Vote in Supply.

The CHANCELLOR of the EXCHEQUER said, all he had intended to say was this—that if so much time had not been taken up with discussion in the early part of the evening, the Business of Supply might have been closed at half-past 12 o'clock, and there would then have been a much better chance of bringing forward this Bill with the view of having it discussed. He repeated that the Government were prepared to do what they could to facilitate the progress of the measure; but he would remind hon. Members that this was not the only Bill which the Government had to consider—that there was Government Business to be attended to, and that if hon. Gentlemen obstructed the time necessary for the transaction of that Business, so much less time remained within which facilities could be offered for the Bill of a private Member. The promise which the Government had made in regard to the particular measure now under discussion had been made in the spirit of sincerity, and whatever the hon. and learned Member for Louth (Mr. Sullivan) might say, he was sure that the hon. Member for Roscommon (the O'Conor Don) would acquit the Government of the charge of intending in any way to withdraw from their pledge.

The O'CONOR DON said, his hon. and learned Friend the Member for Louth had evidently been surprised, and annoyed, at seeing the Government go into the Lobby with the opponents of the Bill; and, under that feeling, he had, perhaps, expressed himself more strongly than he would otherwise have done. For himself, he might say that, up till the last division, he had had no objection whatever to make to the conduct of the Government in regard to the Bill. They had been told most distinctly and consistently, from the commencement of the Session, that the Government would not take up the Bill and make it one of their own measures. Facilities had been promised, however, for carrying it through, and yet the Government on the late division supported a minority who were opposed to the Bill, and, so far, encouraged that minority to persevere in obstruction. He would say, at the present moment, let the past be past. Let what had taken place in the last division be past. The Committee had now declared, by a very considerable majority, that it was in favour of going on with the Bill; and he would, therefore, ask the Government to stand by that majority, to see that their view was enforced, and to declare to the opponents of the Bill that they would give them no further support. Let them pass the 1st clause and then report Progress. It was most unreasonable, after the Committee had declared its opinion, that the Government should support the minority rather than the majority.

Mr. M'CARTHY DOWNING confessed, that he had been tempted almost, by the speech of the hon. and learned Member for Louth (Mr. Sullivan), to rise and ask the Chairman whether he was not out of Order? He thought they had great cause to complain that, upon occasions of that kind, the hon. and learned Member could not discuss a question without being offensive to others. He had hurt the feelings of many Gentlemen who differed with him on the present occasion, when he called those who were exercising their legitimate right of speaking and voting upon this question a petty parcel of Irish Members who were influenced by their pockets. [Mr. Sullivan: I never said anything of the kind.] He and several other hon. Members sitting near him certainly understood the hon. and learned Member to have made use of words to that effect; but he could assure him that there were Irish Members taking part in the debate and opposing this measure who had no pecuniary interest whatever in the question of Sunday closing. He asserted that the hon. and learned Gentleman had himself deserted the people of Ireland. What was it that the people of Ireland petitioned for? It was the closing of public-houses on Sunday, and the hon. and learned Gentleman had been a party to a compromise, whereby it was provided that the public-houses should be open on Sunday in the five cities and towns where the greatest amount of drunkenness prevailed. He had thus abandoned the principle of the Bill, and it was not fair of him now to attack, as he had done, certain Irish Members, when all that they contended for was that a like privilege, though not to the same extent, should be extended to the rest of Ireland—namely, that for three hours public-houses should be open on Sunday, thus making it a tentative measure.

Mr. O'CONNOR POWER remarked, that the argument attempted to be founded upon the exemption of the large towns had been repeatedly brought forward and answered. It was a proposal made by Representatives of the Government, and acceded to by the promoters, on the ground that they would then be afforded facilities for the passing of the Bill. But, although the concession had actually been made, the facilities were withheld, and the concession was thrown in their face as something which deprived them of any *locus standi* at all in this matter. Would hon. Members insult the intelligence of the House by imagining for a moment that reasoning of that kind could be accepted? Why, it was perfectly absurd, and nobody knew the absurdity and utter hollowness of such reasoning better than the hon. Gentlemen who tried again and again to bring forward these arguments, which the supporters of the Bill were simply physically and intellectually tired of contradicting, exposing, and repelling. Reference had been made to the language of the hon. and learned Member for Louth (Mr. Sullivan), but this was not the first time that that hon. and learned Gentleman had heard these very arguments brought forward after they had been repeatedly repelled; and it was no wonder, when he and his Friends had done all that reasonable and temperate men could do, that he should feel indignant at finding that their very concessions were taken up and used as missiles to be hurled in their teeth. The Chancellor of the Exchequer considered it consistent with his duty, as the Representative of the Government of the country in that House, to stand by the minority in thwarting the intentions of the majority. That was his position. Why, that was the highest compliment that had ever been paid to the policy of obstruction by any Minister at any time in that House. He would like to know whether there was any precedent for it? He knew that the sympathies of Her Majesty's Government with a policy of obstruction had been demonstrated in a certain recent appointment by which Ireland had been complimented; but it was never demonstrated before, that the Representative of the Government, in that House, should openly, calmly, and deliberately constitute himself the champion of a minority, after the Committee had declared its wish. That was the position which the Chancellor of the Exchequer occupied that night, and he felt certain that the country would not endorse it. On the contrary, the country, whether it be England or Ireland, would repudiate such an unconstitutional position for any Minister to assume.

Mr. O'SULLIVAN said, that the hon. Member for Roscommon (the O'Conor Don), having decided to go on with the Bill, the Committee would not be surprised to find that he had obtained a victory in the last division, seeing that his Friends the Whigs had issued a "Whip" that morning. With respect to the remark of the hon. and learned Member for Louth, that the opponents of the Bill were trampling on the opinion of their countrymen, he denied it most emphatically. It was the Members who sought to force this Coercion Bill on Ireland who were really trying to trample on the liberties of their countrymen. If the measures which their country had at heart—such as the Land Question, the Education Question, and Home Rule—were brought forward and forced on in the way in which this Bill had been forced on, night after night, they would be nearer to the attainment of their wishes than they were at present. But far more trouble was taken by some Home Rulers to advance this Coercion Bill than was taken by them with regard to any other of the measures which the people of Ireland were asking for. He would tell the promoters of the Bill, that if they tried to force it on, its opponents would use every means in their power to obstruct it.

Question put.

The Committee *divided:* — Ayes 53; Noes 98: Majority 45. — (Div. List, No. 122.)

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Isaac.*)

MR. CHARLES LEWIS said, he wished to make a few remarks in reference to what had happened. A remark, which seemed to be very popular in certain quarters of the House, was that the principle of the Bill had been departed from, or surrendered by its supporters. That remark could not apply to him, inasmuch as he had never supported the Amendment of the Government to exclude the large towns. He did not, however, think that his hon. Friends who supported the Bill, and who took a contrary course, were in the wrong, and he was in the right. He could not follow them, and, therefore, he took the course he did. But he wished to express, in the most calm and temperate language he could possibly use, his deep concern and regret at the conduct of the Government that night. He was perfectly convinced of the sincerity, true-heartedness, and utter truthfulness of the Leader of the House. He thought himself that nobody could have acted more honourably in this matter than the right hon. Gentleman; but he must say that he seemed to have acted somewhat inconsistently that night, and he was greatly startled to find him in the Lobby with the minority on the first division as to reporting Progress. He would ask, what was the position of the promoters of the Bill at the present time? At whatever time it came on, they were always told that it was either too early or too late, and they were simply driven to this position—that they must accept, as the determination of the minority of that House—sometimes receiving some indirect or left-handed assistance from the Government, and sometimes not—to thwart and defeat the supporters of the Bill by their uniform system of obstruction. Well, all he had to say to Members on his own side of the House was, that he went about the Lobbies, and heard interesting discussions as to how this election was to come off, and how the other election was to come off. Now, one of the most important county constituencies in Ireland was at that moment being appealed to by persons representing both Parties; and he would venture to say that if those who supported the candidate for whom, if he had a vote, he should record it, were consulted, it would be found that the vast majority were supporters of this Bill. He could go further, and say that when it became known throughout the County Down during the next two days what had been the conduct of the Government that night, it would not add to the chances of success of Lord Castlereagh, whom he desired to see returned. ["Oh, Oh!"] He felt bound to make this remark, because they were continually told that the opinions of the people of Ireland had not been ascertained on this point. They were told that the opinions of the vast majority of its Representatives, of public meetings, the prayer of Petitions, and house-to-house canvass, were of no value at all; and, therefore, his hon. Friends around him must pardon him for saying that he knew sufficient to be able to say, that if this matter were remitted to the electors of the County Down, there would not be much doubt about the result; and he was sorry to think he sat on the side of the House, where it could be said at that election, this Bill had been hardly fairly treated.

MR. STACPOOLE said, the hon. Member for Londonderry (Mr. Charles Lewis) had spoken of a house-to-house canvass; but he should remember that the occupiers of houses might have any amount of drink they liked in their own houses. But what would the people, who had no houses, and who lived in lodgings do? They should be considered in this matter. Why should the 9,000 people who signed this wonderful Petition rule the whole country? Ireland contained a population of 5,000,000, all of whom were not householders.

SIR WALTER B. BARTTELOT said, he had listened with great pain to the remarks of the hon. Gentleman the Member for Londonderry; because a more unfair or a more unjust attack upon the Leader of that House and upon the Government from that side of the House, he had seldom or never heard. It was unfair, because no man knew better that the hon. Gentleman, that it was with regret—and he might say, even with pain—that his right hon. Friend got up and made the statement he had made. His right hon. Friend had been consistent throughout in the support which he stated the Government, on certain conditions, would give to the Bill. He was perfectly well aware that many of those who invariably supported him most heartily did not thoroughly approve of this Bill, and yet he had never for one moment swerved from the support which he promised to give to the measure. It was most ungenerous and unjust that, because the Leader of the House, who had its dignity at heart, and was bound to maintain it, got up and stated that, in his judgment, it was not wise to proceed with this measure at half-past 2 in the morning, such an attack should be made upon him. He thought his right hon. Friend had shown a wise discretion, and there was not a single man in that House who, whatever opinion he might have upon this Bill, would not say that he was right. His right hon. Friend foresaw what would happen. He (Sir Walter B. Barttelot) wished to repeat a statement which he made in reference to this Bill a few nights ago. He would admit the importance of the measure to the people of Ireland; but was the manner in which they were going on the way to serve them? Had they not to think of the Officers of the House? Were they to keep the Chairman in the Chair all night, and recall the Speaker at a certain hour in the morning, when they had got other Business to do to-morrow? They ought to consider a little the dignity of the House; and, important as the Bill was, those who were acting in this way would not promote the attainment of their object, and certainly not maintain the dignity of the House.

THE O'CONOR DON did not know whether the hon. and gallant Gentleman who had just addressed the Committee remembered a certain night in the last Session of Parliament, or whether he was one of those who, upon that occasion, showed so little consideration for the Officers of the House, and for the Speaker and the other Gentlemen who took the Chair? Then the Government set the example of sitting through, not alone the whole night, but through the whole of the following day, in order to carry a particular Bill, and in order to assert, what the supporters of this measure were now endeavouring to assert—namely, the rights of the majority. If the Officers of the House were put to inconvenience, there was no man who more regretted it than he. But if they were put to inconvenience, it was not by those who legitimately tried to carry out the wishes of the majority; but it was by those who endeavoured to obstruct Business, and who had persistently, Session after Session, obstructed this particular Bill. He did think it would be more consistent with the dignity and honour of that House—and it was a course they ought rather to expect the Government to follow—that they should endeavour to put down the obstruction which led to the disadvantages to which the hon. and gallant Gentleman had referred. The course that had been adopted that evening, of which the hon. and gallant Gentleman apparently approved, was a direct encouragement to a minority to keep the Officers of the House up late every night that any particular measure to which they were opposed was brought forward. He had never complained of the conduct of the Government until the late division. He had always admitted that the Chancellor of the Exchequer had fulfilled every pledge that he had made. He had admitted that the right hon. Gentleman never undertook to take up the Bill and devote the time of the Government to passing it; and, as he said on a former occasion, it was because they were bound to make some effort themselves to make progress with it, that they asked the attention of the Committee that morning to it. He did trust that the majority would upon that occasion assert its right, and that it would, if necessary, sit there, as it did last year, until they showed the minority that, whether the Bill be the Bill of a private Member or of the Government, the same rule should apply, and that there should be no exceptions.

MR. J. LOWTHER said, it was quite true that there had been a prolonged Sitting on the South Africa Bill; but that measure had been brought forward as the first Order of the evening, when it could be fairly discussed. On the present occasion, however, the Bill now before the Committee had been taken at half-past 2 o'clock in the morning. With regard to what had fallen from the hon. Member for Londonderry (Mr. Charles Lewis), he hoped it would not be again repeated that the Government had acted unfairly towards this Bill. He certainly did not support it; but it had been distinctly stated that the Government were prepared to afford facilities for its consideration in certain circumstances. As a matter of fact, a whole evening had already been devoted to a discussion of the Bill, and, at the close of that discussion, he announced that such further facilities would be afforded as the Business of the Government might permit.

MR. H. SAMUELSON said, this question had been decided over and over again by considerable majorities, after full discussion, and he thought it rather hard that English Members who supported the Bill should have to come down there and listen time after time to a quantity of stale, vamped-up arguments. The opponents of the Bill ought at least to pay the Committee the compliment of getting up a few new ideas.

MR. RODWELL thought that nothing could be more unreasonable than to propose to proceed with the Bill at that hour of the morning. Hon. Members should be in their beds instead of being kept in Committee doing nothing, and he appealed to the Government to put an end to these proceedings. Certain hon. Members had been very loud in denouncing what they termed the system of obstruction which had been pursued in regard to the Bill; but it was very much owing to the manner in which those same hon. Members had wasted the time of the House in the earliest and best parts of the evening in discussions about charwomen and wretched shillings and sixpences, that the Bill had not been taken up at a reasonable hour. The opposition to the Bill appeared to be more persistent and violent on every occasion when it was proposed that the measure should be discussed; but he did not think that those Members of the House, who faithfully endeavoured to discharge their duties in Committee and elsewhere, should be kept sitting for hours doing absolutely nothing.

MR. SULLIVAN said, he knew perfectly well that the handful of hon. Members who were opposed to the Bill were reckoning upon this—that if they persisted in their obstruction, the Government would not assist the passing of the measure; but if, on the other hand, the Government would once take up a decided stand in favour of it, the opposition would collapse like a castle of cards. He must apologize if he had spoken unfairly of the Leader of the House, for whom he entertained a sincere respect; but he would ask the right hon. Gentleman to put himself in his position on this question. He felt deeply convinced of the importance of the Bill to his country; and he asked the Chancellor of the Exchequer whether he would not have experienced some strong emotions if, after attempts had been made night after night to strangle a measure in which he was deeply interested, he had found the Government going into the Lobby with the opponents of the Bill just at the moment when its promoters thought they had purchased its safety? He appealed to the right hon. Gentleman, notwithstanding what had happened, to give full and fair facilities for discussing the Bill now before the Committee. If he did not do so, the feeling of exasperation in Ireland would be intense amongst Conservatives, amongst Home Rulers, amongst men of all Parties and of all Creeds.

THE CHANCELLOR OF THE EXCHEQUER said, he readily believed that the hon. and learned Member for Louth had not intended to be personally offensive. At the same time, he considered that the attack which he had made upon the Government was an unfair attack. The Government had said, that if certain Amendments on the Bill were accepted, they were prepared to give facilities for its discussion. They had already, to some extent, done so; and their willingness to afford facilities was by no means exhausted. They intended, as soon as they could conveniently do so—and he hoped it would be within a reasonable time—to place a day at the disposal of the promoters of the measure for its further discussion. While saying so, he must again protest against the idea that they were bound to remain there and to assist in keeping a House together for the mere purpose of talking up and down on every subject under the sun in connection with this measure, and it was this feeling which led him to vote as he had done. He had already said—what, indeed, he had throughout stated—that he thought there should be a full and fair discussion of the Bill; but he could not make any more definite promise than that which he had just given. No one who knew what the state of Public Business was, and how utterly impossible it appeared to be to get on with Supply as fast as could be desired, would expect him to go further than he had done in regard to a Private Bill.

The O'CONOR DON said, it was because he knew very well the difficulties which the Government had to encounter in endeavouring to facilitate the progress of a Bill which met with such obstruction, that he felt it his duty not to ask them to place another day at the disposal of the promoters of this measure until some progress was made with it. He recognized the position in which the Chancellor of the Exchequer was placed; but if he were to accept the general promise of the right hon. Gentleman, that a day would be given as early as possible, he would accept a pledge which, in the present state of Public Business, would only amount to this—that the subject would come on again some time in June, and in those circumstances, the facilities which the Government could offer would be practically worthless. The Bill had been discussed over and over again, and what he wanted was to make some progress with it. At the present time, he thought the Committee might make some progress; and he asked the majority to carry out their own wishes, and to make some headway with the measure before making another appeal to the Government. On the other hand, if the Government would take up the Bill and treat it as their own, of course the responsibility of its progress would be taken away from its present promoters. Probably that would be the course most consonant with the dignity of Parliament, after the House had so often expressed its opinion in favour of the measure.

MR. CHARLES LEWIS said, the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) had declared that he had made an unfair attack upon the Leader of the House. He had been perfectly startled at that statement. In the observations which he made, he commenced with the most emphatic admission that the Chancellor of the Exchequer had intended to keep not only to the spirit but to the letter of every promise he had made; and, because he had ventured to say that on the present occasion the right hon. Gentleman had been inconsistent in going into the same Lobby with the opponents of the Bill, he had fallen under the chastisement of the hon. and gallant Baronet. He submitted that the hon. and gallant Baronet was not justified in the language which he used. No one had a greater respect for the Leader of the House than he had, and he had never made any imputation upon him except to say that he had been inconsistent.

MR. ASSHETON CROSS said, he must really object to a discussion as to the conduct of Members of the House being raised at 4 o'clock in the morning. If there was to be a continuation of the Sitting, let hon. Members at least address themselves to the despatch of Business.

SIR JOSEPH M'KENNA said, he should say a few words upon the general character of the Bill, quite undeterred by what had been said as to stale and vamped-up arguments by the supporters of the measure. His view of the measure was, that it was a monstrous delusion. He overheard his hon. and learned Friend the Member for Louth (Mr. Sullivan) remark, that this had been said a hundred times—a remark, in reference to which he thought himself justified in saying that his hon. and learned Friend had been guilty of a considerable amount of exaggeration, for the criticism to which exception was taken had not been used 10 times in the course of the present discussion. The Bill was introduced for the purpose of closing public-houses entirely on Sundays, on the ground that drunkenness was more prevalent in Ireland on that than on any other day, and that the vice was more rife in the large towns than in the country districts. These being the grounds on which the Bill was introduced, its promoters had accepted a proposal, made by the Government, which would exempt from the scope of the Bill the five largest cities in the country. He did not think any good could be attained by continuing the discussion at five minutes past 4 in the morning, and therefore moved that the Chairman do leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Sir Joseph M'Kenna.*)

Mr. HERSCHELL was not desirous to continue the discussion, but it was clear to him that a more important principle was involved in it than anything contained in the Bill. It was clear that unless a stand was made against the principle, and unless means were taken by the House to put a stop to the practice, it would be in the power of a minority, numbering not more than a dozen Members, to defeat any Bill, not by arguments, but by the adoption of a policy of obstruction. It might seem unreasonable to go on with the Bill, after the offer which had been made by the Government; but he feared that if further persistence with it was now desisted from, the same tactics of opposition; would be repeated on another occasion, and he should, therefore, oppose the Motion to cease from now proceeding with the Bill. The House of Commons was supposed to be a deliberative Assembly, whose decisions were the result of argument, and he should not be a party to any course which could lead to the conclusion that the majority were to be overborne by a small minority, whose only argument was a resort to, and a straining of, the Rules of Procedure.

Mr. MURPHY said, he did not believe the hon. Member for Roscommon (the O'Conor Don) had the remotest idea of making progress in the discussion of his Bill when he proposed, at half-past 2 o'clock in the morning, to go on with it. All the hon. Member wished was to induce the House to pass the measure without discussion, and in that he had been disappointed; as he had, also, in his desire to force the Government into giving a day for the consideration of his proposals. He had no objection to the Government acceding to the demand for a special day; although, he thought, no single argument of any weight could be stated in favour of the Bill, and that no answer, in the shape of either fact or argument, had been, or could be, given to the reasons which had been urged in opposition to it. The Bill was read a second time within a few days of the commencement of the Session, on the understanding that the discussion of its principle should be taken on the Motion to go into Committee upon it. That Motion came on unexpectedly on a Wednesday, owing to a collapse of some of the other Business on the Paper, and the hon. Member in charge of the Bill, seeing that its opponents had not arrived in the House, moved to report Progress immediately the Chairman had taken the Chair, and the Preamble had been postponed. He, therefore, stated his reasons for objecting to the Bill when the Committee was resumed; and, though he took up some time, it was only in the statement of facts and arguments, for he had never spoken in that House merely in order to waste time. The debate on that occasion lasted for about eight hours, and, in the end, a division was taken upon the main principle of the Bill; after which—at half-past 1 o'clock in the morning—it was, not unnaturally, proposed that Progress should be reported, on the ground that no efficient progress could be made at, or after, that hour. He, for one, was certainly surprised on that occasion, to hear it charged against those who had criticized the Bill, that they were acting the part of obstructionists. The hon. and learned Member, who had strongly supported the Bill (Mr. Sullivan), alleged on that occasion that its supporters included all classes and all ranks of the Irish people, from Home Rulers of the most pronounced type to the strongest Conservatives. This statement was made in eloquent sentences, so constructed as to produce a strong histrionic effect; but what were the facts? The Bill had been introduced on several occasions, and Petitions had, from time to time, been presented against it. Four years ago, the signatures were 50,000 in number; in 1876, the number had increased to 70,000; last year there were 104,000 signatures to the Petitions presented against it, and this year the number was 235,000. He failed to see how, in the face of these facts, it could be said that the people of Ireland were in favour of the measure. As a matter of fact, it was very well known, though the fact was not admitted, that the people of Ireland were not in favour of the measure, and had never once asked for it. The supposed demand for legislation of the kind was the result of systematic action by the paid agents of a Society, who had procured a number of signatures which could not be said to represent the community at large. He could not conceive under what plea those hon. Members, who knew the tastes and habits of the Irish people, were to be branded as a pitiful handful of men; who presumed to raise their voice against that of those whom, in fact, they represented, and whose wishes were to them perfectly well known. He could, if he chose, tell how the Memorials in favour of the Bill had been got up, and how the paid agents to whom he had referred endeavoured to bring influence to bear upon Members of the House to induce—or, more correctly speaking, to compel—them to support the Bill. He remembered few instances in which a Private Bill had received as much assistance as this one had from the Government; and therefore he could not admit that its promoters had any right to complain of having been harshly treated in the House. He hoped his hon. Friend the Member for Roscommon would not further persist in opposing the Motion to report Progress, but would be content with the progress that had been already made, and the assurance that the Government would give further facilities for proceeding with the measure on a future day. When a proper occasion arose, he should be perfectly willing to enter upon a discussion of the details of the Bill, which had not as yet been settled, and to accept any decision at which the Committee might arrive.

The O'CONOR DON said, he was as anxious as his hon. Friend the Member for Cork (Mr. Murphy) to get through the present Sitting; but he could not, as yet, abandon the hope of making some progress. His hon. Friend stated that his arguments against the Bill never had been answered; but, if this were so, it only showed that those arguments were not very convincing, as, in spite of them, a large majority of the House had decided in favour of the measure.

Question put.

The Committee *divided:*—Ayes 40; Noes 72: Majority 32.—(Div. List, No. 123.) [A.M. 4.30.]

[Mr. Raikes here left the Chair, and was succeeded by Mr. Bristowe.]

Motion made and Question put, "That the Chairman do now leave the Chair."—(*Mr. O'Sullivan.*)

The Committee *divided:*—Ayes 35; Noes 78: Majority 43.—Div. List, No. 124.)

Mr. SHAW thought that the supporters of the Bill, having increased their majority on the last division, might possibly be in a good humour, and, as the day had broken, disposed to let them go away. He, therefore, begged to move that the Chairman report Progress. He thought that the proposal of the Goverment was a most reasonable one. They had offered another Government day for the purpose of making progress with the Bill. As far as he knew, there was no intention that night to oppose the measure. ["Oh, oh!"] Allow him to explain. If the Bill had come on immediately after half-past 12, the intention was to discuss the Amendments that stood on the Paper, and he really believed that a number of them would have been got through. But he thought it was most unreasonable, at half-past 2 o'clock, when they were thoroughly tired out, to have been asked to enter upon the consideration of these Amendments. It was said that sufficient had been heard of the Amendments already. Well, he had an Amendment on the Paper that had never been mentioned at all. He considered it a very important Amendment, and it was, that in case the Amendment of the Attorney General for Ireland was passed, the public-houses should be open for the sale of intoxicating liquors not to be sold on the premises. He had not the slightest doubt, that if the Gentlemen who were promoting the Bill would accept the proposal of the Government and take a night, they would get through the measure. He might say, for those opposing the Bill, that they did not wish to obstruct it; but they did not intend to have it thrust down their throats at half-past 2 in the morning, when it was perfectly impossible for them to consider it in the agitated state in which they were. He hoped there would be no objection to let the unseemly wrangle come to an end.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Shaw.*)

MR. WADDY said, they could not help seeing by that time what was the intention of the Gentlemen who were opposing the Bill. They had been told a great many times that half-past 2 was too late an hour to commence; but, between then and the present hour, they might have discussed one or two of the Amendments; and if, instead of giving constant opposition to any discussion at all, Gentlemen, who said they were so anxious for discussion, would let them have a little, they might get away about mid-day—because, with regard to several of them, till midday they were prepared to sit, in the belief that the question at issue was whether or not the minority was to override the will of the majority of the House. He did not mean to indulge in personalities, and he wanted to make a suggestion, in all good humour, by way of throwing oil on the troubled waters. It was perfectly clear that giving a day would do no good, because precisely the same thing would occur again; and, unless the minority were to triumph over the majority in this matter, it appeared to him that there was only one thing to be done, and that was for the Government to take up the Bill, or, failing that, to fight it out on the particular lines on which they had entered. Of course, one did not expect the Government to take up their opponents' Bill, and, if this were a Party question, it would be a very unreasonable proposition to make. But, inasmuch as it was not—inasmuch as it was a question upon which the House of Commons had already clearly and definitely expressed its opinion—he thought the Government could very safely and fairly take it up. He believed that such a course was by no means without precedent. Therefore, he would venture to suggest to the Government, whether it was not possible to come to some compromise with the hon. Member for Roscommon, whereby not merely facilities should be afforded—which was a general expression, and very illusory—but the passing of the measure would be secured this Session. Otherwise, they would continue to have, what had been very properly called by an hon. Gentleman behind him, an unseemly spectacle.

MR. J. LOWTHER said, he could not hold out the slightest hope that the Government would take up the Bill. He did not wish to occupy the time of the Committee at that hour of the morning by repeating what he had himself said; what the right hon. Gentleman who had preceded him in the Office which he now held had several times said; and what had been frequently repeated by the Chancellor of the Exchequer; but he thought it was necessary, after what the hon. and learned Gentleman (Mr. Waddy) had said, to repeat once more that the Bill was, in no shape or form, one of which the Government had expressed any approval. He had several times said that he disapproved very strongly of it; but he hoped the Committee would do him the justice to believe that, notwithstanding his strong disapproval of it, he had endeavoured in every way in his power to carry out the undertaking into which the Government entered. That undertaking was that they would afford facilities for the discussion of the measure. The hon. Gentleman the Member for Roscommon, with the candour which always characterized him, said boldly that he did not want any discussion at all, but that what he desired was to pass the Bill. The hon. and learned Member for Barnstaple (Mr. Waddy) had said that until the Government undertook to adopt the measure, it was useless to proceed with the discussion. That appeared to him to be a strange termination to a speech which invited the Committee to proceed. He hoped the Committee would bear in mind the warning of the hon. and learned Gentleman, and would not embark on endless discussions of this kind. It was observed just now that the tactics of the opponents of the Bill were to talk it out whenever it came on; but he thought that what had fallen from the hon. Member for Cork (Mr. Shaw) had scarcely been fairly met. He understood that hon. Gentleman to say, that if this discussion were adjourned and an evening was placed at the disposal of the promoters of the Bill, he had reason to believe that it would be brought to a conclusion. If the hon.

Gentleman were distinctly to say that he had reason for what he had stated, he (Mr. J. Lowther) thought that, in the present disposition of the Committee, it would carry some weight.

Mr. SULLIVAN: Will the hon. Member state that he has it in his power to make that proposal?

Mr. SHAW said, he considered that three or four of the Amendments to the 1st clause would necessarily narrow themselves down to one; and he was quite certain, so far as most of them were concerned, that they did not wish to obstruct the progress of the Bill. He supposed it was one that would now go through. If the Government would give the promoters a day, he did not see why they should not get the measure through. That was all he could pledge himself to.

Mr. MURPHY reminded the Committee, that he had already said that, so far as he was concerned, he was perfectly ready to go into a fair discussion of the principal Amendments on the Paper, and to abide by whatever decision the Committee would arrive at. If an evening were given for the discussion, he could see no difficulty in having these Amendments disposed of.

Mr. M'CARTHY DOWNING said, he had by far the most important Amendment on the Paper. In fact, it comprised within it the other Amendments; and he thought his hon. Friends would be quite prepared to allow his Amendment to test the opinion of the Committee. He could say, with his hon. Colleague, that he was not animated by any desire to obstruct this measure; but he did not conceal from the Committee that at half-past 2 in the morning he was not in a position to bring his Amendment before them in the manner he should wish to do.

Mr. GRAY thought it was a lamentable thing to see a minority of Irish Members opposing, in the manner they were doing that night, a Bill promoted by the Representatives from their country of every Party. He thought it was also a lamentable thing to see the Representatives of the Government aiding and abetting in that opposition; and, after the speech of the Chief Secretary for Ireland, which was a distinct encouragement to the opponents of the Bill to carry on their opposition, he held that the promoters were called upon to proceed with the measure that night, and to continue to do so until the Government abandoned their present position of supporting the minority in the factious opposition which they were offering to it.

Mr. KING-HARMAN ventured to think that the position taken up by hon. Members who sat on the Treasury bench was that in which independent Members found themselves. He, for one, was very much in favour of the principle of the Bill, while unable to accept the whole of its provisions; but he had voted against his hon. Friends on the other side, on the ground that the present was not the time to bring forward a measure of this grave character. As a junior Member of the House of Commons, he strongly objected to have a Bill of any description shoved down their throats by the action of a tyrant majority at an hour of the morning when they were not competent to discuss it. The proceedings of that night had been likened to those which took place on a particular occasion last year; but he would remind the Committee that the minority then was one of five or six, while, in the present instance, it had been more than half the majority in every case. He should continue to vote against proceeding with the Bill at so unseasonable an hour.

Admiral Sir WILLIAM EDMONSTONE said, he had not been against the Bill from time to time; but he must certainly say that he opposed it when it was brought on at half-past 2, on the ground that that was not an hour at which to attempt to proceed with the measure.

Mr. O'CLERY said, that if they considered that the last time the hon. Member for Cork (Mr. Murphy) spoke on the Bill he occupied 2 hours and 35 minutes, and that the hon. Member for the county of Limerick (Mr. O'Sullivan), on the same occasion, spoke for 2 hours and 45 minutes, they would immediately see what these hon. Members were capable of doing when they said that they intended only to speak on the merits of the measure. Therefore, to leave the Bill to be dealt with after their fashion, would be to postpone its passing indefinitely. If he were a Member of an Irish Parliament in Dublin, he should consider it his duty, if the present state of circumstances were to arrive, to call on the majority to protect itself and the legislation of the House; but, in that House, where there were English and Scotch Members, he could not think of calling upon the majority to act in that way. He must say, however, that they were striking at the principle of national self-government for Ireland by their conduct that night.

MR. J. LOWTHER said, he had taken no part in the recent divisions, though he must confess that his not having done so was a certain exercise of forbearance on his part, as he did not approve of the Bill. At the same time, it must be evident to everyone that the Committee had got into a very unpleasant position, from which it was desirable to escape; and, with that view, he suggested that the promoters of the measure should rest satisfied if they could obtain an assurance from its principal opponents that when it was again brought forward they would not be parties to what might be called factious opposition.

MR. BRIGGS said, the honour and dignity of the House seemed almost to have been forgotten by the occupants of the Treasury bench. The principle that a minority should trample upon the expressed opinion of the House could not be allowed. It had been said that the Bill was being thrust down the throats of hon. Members; but it appeared to him that the measure took a good deal of thrusting, more particularly when their throats were dry ones. He was not personally concerned in this struggle, so far as Sunday closing was concerned; but he was anxious that the right and dignity of the House, which the Government appeared for the moment to have abandoned, should be maintained.

SIR HENRY SELWIN-IBBETSON thought that the hon. Member who had just spoken had been a little too severe in his strictures. On more than one occasion, a measure which had been supported by a majority of the House had been met with strenuous opposition by a minority. Bills introduced by the Government themselves, to which they attached the greatest importance, and which were really necessary in the public service, often met with such repulses from minorities as hon. Gentlemen in charge of the measure before the Committee had experienced on this occasion. Individually, he agreed that it was the duty of every Member to maintain the dignity and authority of the House as much as possible; and it was only when a minority was of such weight as to carry a certain amount of conviction with it, that he thought it became a question whether such fighting as that in which they had been engaged was consistent with the proper conduct of Business. The Government, through the Leader of the House and the Chief Secretary for Ireland, had stated distinctly that they were prepared to give facilities for the passing of the Bill, but that the period when those facilities would be offered could not be now fixed in the state of Public Business. It had been clearly promised, however, that when the necessary Business of the country was sufficiently advanced, as much time as the Government had at their disposal would be given for the further discussion of this Bill. More than that could not be expected. The Government had taken the proper course in the interests of the public service; and it could not be said that they had overlooked the expressed opinion of the House, because they desired to put an end to a wrangle on the subject. He had seen many such wrangles; and he did not remember any that could be said to have given satisfaction to those who had taken part in them. He appealed to the promoters of the Bill, whether they were really advancing the measure by prolonging the present Sitting; and he did so all the more readily, that he was in favour of their having a trial of a system which they believed to be desired by the greater part of their countrymen.

MR. W. H. JAMES could not see why the time of the Committee should be taken up in this manner. The Bill must pass; and he appealed to its opponents to recognize the inevitable. He could not but direct attention to the state of the Government bench, and ask where Her Majesty's Ministers were?

MR. J. LOWTHER said, that to expect Ministers, who had the duties of the country to attend to, to sit up all night in connection with a discussion like the present, was preposterous and unreasonable. He was sure they were all weary of the position in which they found themselves, and he begged to ask the hon. Member for Roscommon whether he saw any chance of arriving at a satisfactory solution of the difficulty? He hoped the hon. Gentleman would see his way to accept some reasonable suggestion which would put an end to the present dead-lock.

The O'CONOR DON said, he was most anxious to end the difficulty in which the Committee was now placed, and allow hon. Members to go home, although he had been kept out of bed himself longer than any Gentleman present. The Chief Secretary had asked him to accept some proposal, or to make some suggestion. As to a proposal, something had been shadowed forth by the right hon. Gentleman himself. He did not exactly know what it was; but they had not had a word from the opponents of the Bill that they were willing to accept it. Was the hon. and gallant Member for Waterford (Major O'Gorman) willing to accept it? [Major O'Gorman: I will accept nothing.] As to a suggestion, he had suggested, some hours ago, that the Committee should deal with the 1st clause of the Bill, and that then Progress should be reported.

Mr. O'SULLIVAN said, he should oppose the Bill in every way he possibly could. It was a Coercion Bill on the non-electors of his country; and it was not asked for by those who were interested in the matter. He would not allow a single Amendment to pass without a discussion and even a division.

Mr. ONSLOW thought that the Chancellor of the Exchequer had treated the promoters of the Bill very fairly; and he hoped that hon. Gentlemen, after fighting so long, would now think it time to go home to bed.

Mr. WADDY did not see why all the compromise should come from the one side. Why should the minority not give in, and agree, at all events, to discuss some of the Amendments? Hours had been wasted in obstruction; surely it was now time to do some business. He did not approve of the reflection which had been made upon the absence of Ministers. He did not think it could fairly be expected that the Government should be largely represented on the Treasury bench at that hour of the morning.

Mr. MONK said, he had no doubt that a majority of the Irish people wished this Bill to be passed; but he could see no hope of making any satisfactory progress at this hour of the morning (5.30), and hoped that his hon. Friend the Member for Roscommon would give way. He would have had a chance of bringing his Bill forward at a practicable hour, but for the opposition which was offered by certain of the Irish Members to the making of progress in Committee of Supply.

Mr. SHAW suggested that the Committee should come to a decision upon the first Amendment of the hon. Member for Kinsale (Mr. Collins), which would clear the way for the second Amendment, which really embodied the opposition to the Bill.

The O'CONOR DON said, a discussion upon any one of the Amendments would in no way facilitate the passing of the Bill, because any hon. Member could put them upon the Paper and raise a discussion upon them again. No practical progress would be made until the clause had been put from the Chair, and as soon as that had been done he should be perfectly willing to report Progress. They did not want a night for discussing the Bill merely, but they wanted one for passing it. For the Government to give a night, which would be wasted in discussion, would be giving nothing at all.

Mr. M. BROOKS, after remarking that he had been in the House for close upon 18 hours, said, he felt it to be his duty to assist in passing, in a modified form, a Bill the principles of which had been affirmed by the House. It was, however, useless to attempt to make any further progress at that hour, and he would suggest that his hon. Friend in charge of the Bill should now give way, promising him that if he did so, he would use his influence to prevent any further opposition to the principle of the Bill, and that he would assist him in passing it during the current Session.

Mr. J. LOWTHER said, he hoped the hon. Member for Roscommon, who, as an old Member of the House, would appreciate the importance of obtaining such an undertaking, would accept the suggestion which had been made by the hon. Member for Dublin, and the assistance which he had promised to give on the subsequent occasions when the Bill might be before the House.

The O'CONOR DON said, it was precisely because he was, as the right hon. Gentleman had said, an old Member of the House, that he could not accept the offer of the hon. Member for Dublin. Old birds were not to be caught with chaff; and, as no fair offer had been made to him, he could not then consent to do what he might have done four hours earlier. The hon. and learned Member for Leeds (Mr. Wheelhouse) and the hon. Member for Guildford (Mr. Onslow) might go on, on the next occasion, precisely as they had done on this, and therefore he could not consent to give way.

MR. MURPHY repeated, that he was extremely anxious for a full and fair discussion of the remaining principle, or fragment of a principle, contained in the Bill. He used the phrase advisedly, because the Bill was framed for the purpose of bringing about a total closing of public-houses in Ireland on Sundays, and that had been given up by the promoters agreeing to the proposal of the Government to except five of the chief towns in the country from the Bill. This being the present position of things, he thought the measure deserved and required a full and fair discussion, and this would not be possible at 6 o'clock in the morning. Surely, if the supporters of the Bill chose to abandon its main principle as far as five of the principal towns in the country were concerned, there should be afforded a full opportunity for considering the matter in reference to other towns and populous places in Ireland.

MR. COURTNEY said, the right hon. Gentleman the Chief Secretary for Ireland, like the Chancellor of the Exchequer, did not seem to perceive the real point which was involved in this debate, which was, whether a few men should or should not be allowed to override all the principles of Parliamentary Government in their desire to defeat a Bill which was before the House. More than one division had, on previous occasions, been taken on the essential principle of the Bill; and the real question now was, whether the Government, having apparently abdicated the management of the Business of the House, measures should not be taken—the proceedings of the night having been highly educational in this respect—to devise a means of putting down obstruction of the kind which the Committee had witnessed. He might say that, although he had disapproved—and continued to disapprove—of the means employed last year to overcome the peculiar opposition offered to the South Africa Bill, he had always maintained the principle that the will of the majority must be allowed to prevail.

MR. PARNELL said, that the principle of the Bill having been affirmed last year by large majorities, the Government ought to have taken up the question with a determination to settle it, private Members not having had afforded to them facilities for passing the Bill themselves. The consequence of this was, that the Members in charge of the Bill were compelled to ask the House to proceed with it at unreasonable hours, for it could not possibly be passed into law without discussion, as there were several important matters of principle involved in it. It was, in his view, an unconstitutional proceeding to threaten — as had been suggested by the hon. Member for Liskeard (Mr. Courtney) — a minority of the House with pains and penalties, because they asked that opportunities should be given for the discussion of an important proposal for a change in the law affecting the liberty of the whole Irish people. As far as he was personally concerned, he should be strongly inclined to refuse a single penny of Supply to the Government until they had either taken up this Bill, or promised to give facilities for its full and fair discussion. On the present occasion, the right hon. Gentleman the Chief Secretary for Ireland had certainly shown himself to be an Obstructionist—to use a word which was now frequently used in the course of their proceedings.

MR. J. LOWTHER said, he could not allow what had fallen from the hon. Gentleman to pass uncontradicted. To say that he had deceived the Committee and had acted obstructively against the Bill was altogether contrary to the fact, and he thought he might appeal to the recollection of the Committee for not being in error when he made that statement. The hon. Gentleman suggested that the Government should place time at the disposal of the hon. Member for Roscommon to enable him to carry his Bill. He thought the hon. Gentleman could not have been present throughout the discussion, or he would have known that an undertaking was repeatedly given by the Government that such facilities should be afforded as he thought would fully carry out his suggestion. Now, he really did not like to make suggestions, since they did not seem to meet with acceptance; but he thought the hon. Member for Roscommon had set his heart on carrying the 1st clause of the Bill; and, as he understood, sought to do no more. He had now to make a suggestion to its opponents—namely, that they should allow the hon. Member to do that. They would then be in a better position for discussing the Bill fully when it came up again.

Mr. MELDON observed, that the Chief Secretary never said he would give such facilities as would secure the passing of the Bill. He stopped just short of that. Had he said that, the whole obstruction would have been at an end. The opposition was, in fact, first started by an answer he gave to a deputation that waited on him, and a speech he made to a second deputation. He admitted that the right hon. Gentleman had since sought to undo some of the mischief he then did; but he charged him with inciting the small minority against the majority. He admitted there was no analogy between this case and that of the South Africa Bill; but the present obstruction was infinitely worse. There was no excuse for protracted discussion now, because this Bill had been for four years thrashed up and down. Let the Government say that the Bill should pass this Session, and all opposition to it would cease.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, he had been occupying himself in going quietly through the Amendments on the Paper relative to the 1st clause, and he found that, with the exception of that of the hon. Member for Dublin (Mr. Brooks), which he had agreed to withdraw, they were all directed to the principle of the clause. Now, he wanted to know why these Amendments could not be practically brought together, and the whole question they raised be discussed on the question that the clause stand part of the Bill? He did not think that course would involve any sacrifice of principle, and that the hon. Member for Roscommon would be very willing to agree to it.

Mr. O'SULLIVAN remarked, with reference to the charge against the Government that they had encouraged opposition to the Bill, he wished to inform the House that its opponents would have made just the same resistance to it had it been a Government Bill. He knew personally that a large majority of those whom it affected were opposed to it, and he should continue his opposition to the last.

Sir JOSEPH M'KENNA thought the hon. Member for Roscommon had met the opponents fairly, and should be allowed to make some little progress.

Mr. M'CARTHY DOWNING said, the hon. Member did not appreciate the force of the Attorney General's proposal. Were it accepted, they would be giving up the whole opposition to the Bill.

Mr. GRAY thought the Government should reply to the charge of having encouraged opposition to the Bill, the responsibility of which he now wished to fix on them.

Mr. J. LOWTHER said, he had frankly avowed his objections to the Bill. He still thought some compromise might be come to, and he did not abandon all hope that it would.

Question put.

The Committee *divided*:—Ayes 32; Noes 61: Majority 29. — (Div. List, No. 125.) [A.M. 6.30.]

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Major O'Gorman.*)

Sir JOSEPH M'KENNA hoped his hon. and gallant Friend would not persist in that Motion. It might be that this would be the last occasion on which they would have an opportunity of addressing themselves to the principle of the Bill. ["Divide!"] What had they been doing all night but dividing? He did not think they ought to divide without discussing the principle of the Bill. He would advise hon. Members who took the view that this measure ought not to be suddenly and rashly passed, to consider that it had been a long time before the House, and that there would be future opportunities for discussion. He really thought that, before they went again to a division, they might have a couple of hours' discussion as to the merits of the Bill.

Mr. M'CARTHY DOWNING said, there was one way in which they might come to some arrangement. They really wanted to discuss a question of principle involved in one of the Amendments to the 1st clause; and if the Government would give a day for that purpose, they would be prepared to enter upon the discussion, and they would not take a very long time. But they were not in a condition to introduce an Amendment of so much importance to the Committee at that hour of the morning. The Government had offered to afford facilities. He took it that what was meant was that they would find a day for the hon. Member for Roscommon. Let that be agreed upon, and they would only move one Amendment to test the opinion of the Committee upon the question, whether exemption was to apply to the whole of Ireland or not? That was a fair proposition, and he hoped it would be accepted by his hon. Friend who had charge of the Bill.

MR. MACARTNEY said, it appeared to him that the proposal made by the hon. Member for Cork (Mr. Downing) was a very singular one. He proposed to do in Committee what ought to be done on the third reading of the Bill—namely, to reject it. He proposed an Amendment to extend the principle which it was intended should apply to the five principal towns of Ireland to the whole of the country; and such a proposal was tantamount to moving the rejection of the Bill.

MR. M'CARTHY DOWNING said, the hon. Member was mistaken with regard to his Amendment. It did not extend to the other parts of Ireland the exemption proposed by the Attorney General for Ireland in the case of the five large towns; but limited the hours during which public-houses might be open on Sunday from 2 until 5.

MR. O'CONNOR POWER remarked, that the fact of the matter was, that the Amendment in question would make the thing perfect nonsense. It was utterly inconsistent with the whole principle of the Bill. It had been stated, over and over again, that the question might be discussed upon the clause, as amended, being put from the Chair; and there was no reason whatsoever for refusing to accept the proposal made by the Attorney General for Ireland, unless it was a desire to obstruct the Bill.

Question put, and *negatived.*

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. M'Carthy Downing.*)

The Committee *divided:*—Ayes 31; Noes 60: Majority 29.—(Div. List, No. 126.) [A.M. 6.45.]

MR. O'SULLIVAN said, he feared there was no use in reasoning or arguing with the supporters of the Bill. A very fair proposition had been made to them about half-past 2 o'clock; but they were now as determined as ever to make no concession. Therefore, he thought they had better fight on until 4 o'clock in the evening. He begged to move that the Chairman leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. O'Sullivan.*)

MR. BRIGGS said, there was a proposition made a short time ago which he should be sorry should be lost sight of. It was a little difficult to follow the course of the discussion; but, as far as he recollected the proposition, it was this—that an Amendment should be moved to the 1st clause, and that, having disposed of it, a division should be taken upon the 1st clause, and that then they should report Progress.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) did not think that was the proposition; and, as there was some misunderstanding about it, he might, perhaps, be allowed again to make a suggestion, because it was just as well to consider—though it was rather late in the day to do so—what was the Preamble of the Bill, and what was the 1st clause. They must recollect that what was going on there would be criticized outside. The Preamble of the Bill stated that—

> "Whereas the sale of intoxicating liquors in Ireland is prohibited during certain hours on Sunday, and it will be for the public benefit to extend such prohibition to the whole of that day."

That was the Preamble, and the 1st clause was the one which proposed to cast into a form of law what the Preamble stated. The whole of Sunday was what was dealt with in the 1st clause of the Bill. What he had ventured to point out was, that all the remaining Amendments to the 1st clause were not so much Amendments properly so-called as attempts again to discuss its principle from new points of view. He was not saying that at all to provoke any opposition, or suggesting it in any hostile way; and he thought that possibly there might be a question as to whether some of these Amendments could be put at all—whether they did not conflict with the principle established in the earlier part of the clause, which had already been affirmed. But, however that might be, he passed it by. He desired to point out that the effect of reporting Progress, after adopting the suggestion of the hon. Member for Roscommon, would be to leave it still open to hon. Gentlemen to attack or discuss the principle of the clause on the Question "That the clause, as amended, stand part of the Bill." He thought it would be only reasonable that the 1st clause, with the Government Amendments, should be put from the Chair, and that Progress should then be reported. There must be a little give-and-take in all human affairs.

SIR JOSEPH M'KENNA hoped that the proposal of the right hon. and learned Gentleman would be adopted, as perhaps the fairest compromise which could be arrived at in the circumstances.

MR. M'CARTHY DOWNING objected to the proposal of the Attorney General for Ireland. It seemed to him, that if that proposal were acted upon, hon. Members would be precluded altogether from making any Amendment whatever in the clauses of the Bill.

MR. MACARTNEY said, he desired to remind the Committee that, in accepting the exemption of the great towns, the promoters of the Bill had not also contemplated concessions to the rural districts.

Question put, and *negatived.*

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Major O'Gorman.*)

The Committee *divided*—Ayes, 30; Noes, 59: Majority 29. — (Div. List, No. 127.)

[Mr. BRISTOWE here left the Chair, and was succeeded by Sir HENRY SELWIN-IBBETSON. It was now 20 minutes after Seven of the clock of Tuesday morning.]

Motion made, and Question, "That the Chairman do now leave the Chair," —(*Mr. French,*)—put, and *negatived.*

Amendment proposed,

At the end of the last Amendment, to add the words "Provided, That such prohibition shall not apply between the hours of two o'clock in the afternoon and five o'clock to populous places, and to towns with populations exceeding three thousand inhabitants."—(*Mr. Collins.*)

Question proposed, "That those words be there added."

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Sullivan.*)

The Committee *divided:*—Ayes 30; Noes 59: Majority 29.—(Div. List, No. 128.)

Question again proposed, "That those words be there added."

Motion made, and Question, "That the Chairman do now leave the Chair," —(*Major Vaughan Lee,*)—put, and *negatived.*

Question again proposed, "That those words be there added."

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Shaw.*)

The Committee *divided:*—Ayes 30; Noes 58: Majority 28.—(Div. List, No. 129.) [A.M. 7.40.]

Question again proposed, "That those words be there added."

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Major O'Gorman.*)

MR. M'CARTHY DOWNING said, it appeared to him most unseemly to have spent so many hours in an attempt to force the opinions and the will of what certainly was a majority, upon what was just as certainly a very strong minority, at a time of the night or morning, when it was utterly impossible to have a profitable, or in any way satisfactory, discussion of the questions involved. He hoped the present course of proceeding would be abandoned; because, if division after division were taken until the Speaker took the Chair at 4 o'clock in the afternoon, the Bill would be lost for the Session.

MR. DALRYMPLE said, that he had supported the Bill up to the present time, in spite of, rather than in consequence of, the speeches of some of its promoters, and should continue to do so; but he saw nothing to be gained by attempting to press it further at the present moment. He should like to ask the hon. Gentleman who had charge of the measure, whether he hoped to tire out the opponents of the measure, or whether, if he did not succeed in that, the proceedings of the night through which they had passed would be likely to help the Bill in its future stages? Was it not much more likely that the Bill would be prejudiced by the feeling of disgust which must be created, even in those who were friendly to it?

Mr. MELDON thought the Government were bound, in vindication of their own character and reputation, to insist upon this Bill being passed in the present Session. He thought the supporters of the Bill had acted in a very conciliatory manner in consenting to the exemption of the five towns from the operation of the Bill. Unless the opposition went much further, they were willing to make the further concession of giving up the 2nd clause of the Bill, and allow the law relating to *bonâ fide* travellers to remain in its present form.

Mr. KING-HARMAN said, this was the first time he had heard anything of conciliation on the part of the promoters of the Bill. The Committee was not now discussing the principle of the Bill, but whether they should be forced into a discussion at a most unseemly hour of the day. The scheme of the supporters of the Bill was premeditated. Two days ago, he read in a Dublin newspaper a statement that relays of Members were to be arranged in support of the Bill, which was to be brought on and proceeded with at any hour of the day or night.

Sir JOSEPH M'KENNA said, he recognized the spirit of conciliation as far as the 2nd clause in the Bill was concerned; because, if that clause had been agreed to, it would have created a sort of licensing Star Chamber. The Bill had been fairly fought by its opponents, towards whom some consideration should be shown at that hour (8.30) in the morning.

The O'CONOR DON said, a good deal had been stated with regard to concessions; but it appeared to be forgotten that all the concessions up to the present had been made by the supporters of the Bill, and none by its opponents. The question simply was, whether the majority in that House should yield to the minority, and on that point he was not disposed to give way.

Mr. J. LOWTHER admitted, that except in asking the Committee to go on with this Bill at half-past 2 o'clock in the morning, the hon. Member for Roscommon had conducted this Bill with great discretion and judgment, and he did not think hon. Members who opposed the Bill quite realized the considerable character of the concession which he had consented to make—a concession which, coupled with some few others of a minor character, would put the Bill in a satisfactory condition. He hoped the Committee would not insist upon taking up further time in vindicating the rights either of majorities or minorities—both of whom undoubtedly possessed rights—but would try to find a *modus vivendi* between the two. If the hon. Member for Cork (Mr. Murphy) would accept the suggestion of the Attorney General for Ireland, the Bill could be debated properly; and certainly the Government would, as far as it could do so consistently with the demands made by its own Business, afford facilities for such debate.

Mr. MURPHY said, the dilemma in which they found themselves was due entirely to the action which had been taken by the promoters of the Bill. He would suggest that one of the Amendments to the 1st clause should be discussed, and that the division upon it should settle the fate of the other Amendments. To accept the suggestion of the Attorney General for Ireland would be to prevent a discussion of any of the Amendments.

Dr. WARD held that the course taken by the opponents of the Bill was one virtually of defiance of the cardinal principles of Parliamentary government.

Mr. CHARLES LEWIS suggested that after the discussion which had been suggested, any of the Amendments on the Paper could be received on the Report and disposed of to the satisfaction of all concerned. If this did not prove sufficient, there would be yet another opportunity for discussion on the Motion for third reading.

Mr. MONK said, he could not think either side more factious than the other. Something had been said about the tactics announced in a Dublin newspaper as likely to be pursued by the promoters of the Bill; but he paid no regard to them, because he did not think the

House would ever allow itself to be bullied into passing any measure.

Question put, and *negatived.*

Question again proposed, "That those words be there added."

Motion made and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Sullivan.*) [A.M. 8.30.]

Mr. HERSCHELL hoped the suggestion of the hon. Member for Cork (Mr. Murphy) would be accepted, as he thought it would meet the views of all the opponents of the Bill to take a discussion and decision upon one of the Amendments to the 1st clause.

Sir JOSEPH M'KENNA said, he did not think there was any one of the Amendments that could be accepted by both sides.

Question put.

The Committee *divided:*—Ayes 30; Noes 58: Majority 28.—(Div. List, No. 130.)

Question again proposed, "That those words be now added."

Mr. MURPHY again suggested, as a compromise, that only one of the Amendments to the 1st clause should be moved on a day to be given by the Government for the purpose, and that the opponents of the Bill should now agree not to discuss more Amendments than that one. If there should be any breach of that agreement—which he felt sure there would not be—then he, and those who agreed with him, would support the 1st clause. They would, of course, be at liberty to move any Amendments they pleased on the Report. He hoped the hon. Member for Roscommon would see his way to accepting the suggested compromise as a way out of the difficulty in which the Committee found itself.

Mr. CHARLES LEWIS thought the suggestion of the hon. Member afforded the basis of a fair compromise.

Mr. KING-HARMAN objected, under any conditions, to the House being dragooned into passing this or any other Bill.

Mr. J. LOWTHER hoped that they had at length reached daylight, and that some such suggestion as that which had been made by the hon. Member for Cork would be adopted.

Mr. O'SULLIVAN said, it must be clearly understood that the suggestion only referred to the 1st clause, and its adoption would not preclude any hon. Member from moving Amendments on the other clauses.

Major O'GORMAN said, he would not accept any mere verbal suggestion. They must have the *litera scripta,* and then there could be no mistake about it.

Mr. BIGGAR supported this view.

The O'CONOR DON said, he was absent from the House when the proposal was made, but he was disposed to agree in the view taken by the two hon. Members who had last addressed the Committee, because it was most important that there should be no misunderstanding as to the terms of the compromise. He always entertained a distrust of vague understandings.

Mr. J. LOWTHER said, he preferred the original proposal of the hon. Member for Roscommon; but if the one which had since been made was more likely to meet the views of the Committee, he should be quite willing to assent to it. He thought an agreement to suit everyone could easily be arrived at.

Mr. MELDON hoped there would not be any written agreement. It would be adopting the practice of a Petty Sessions Court in the House of Commons, to have two of its Members meeting outside and drawing up agreements of the kind and in the mode suggested.

Mr. J. LOWTHER said, he had distinctly guarded himself from expressing approval of any written agreement; but what he had suggested was that, as the hon. Member for Roscommon did not happen to be present when the proposal was originally made, and there appeared to be considerable confusion upon the subject, it should be reduced to writing with a view to being fairly put before the Committee, as was invariably the practice with Resolutions and Amendments which formed the subject of arrangement between the promoters and opponents of Bills or Motions.

Lord LINDSAY said, he, for one, should decline to be bound by any such agreement as was suggested.

The O'CONOR DON said, if it was the general wish of the Committee that such an agreement should be made, he would not stand in the way of it; but he must not be understood as approving of it.

MR. M'CARTHY DOWNING expressed disappointment at the fact that the hon. Member for Roscommon seemed indisposed to agree to any reasonable arrangement.

MR. BIGGAR thought the hon. Member for Cork should draw up the terms of the suggestion, and let them be read to the Committee. Even then, Members now absent would not be bound by them.

MR. W. HOLMS thought the suggestion to have a written agreement was lowering to the dignity of the House.

MR. MURPHY further explained, that his proposal was for all the Amendments to the 1st clause save one to be withdrawn, and a debate and division should be taken on that Amendment at the next Sitting of the Committee. As already proposed by him, no other Amendment on the 1st clause to be moved until the Report. He thought this was an arrangement which no one could fail to understand.

THE O'CONOR DON wished to know whether the opponents of the Bill would consider themselves bound by the agreement?

MR. MURPHY said, he assumed that the parties to the agreement would be in honour bound by it.

Amendment, by leave, *withdrawn.*

Committee report Progress; to sit again upon *Thursday.*

COUNTY COURTS JURISDICTION (NO. 2) BILL COMMITTEE.

Ordered, That the Select Committee on County Courts Jurisdiction (No. 2) Bill have power to send for persons, papers, and records.—(*Sir Eardley Wilmot.*)

CONSECRATION OF CHURCHYARDS ACT (1867) AMENDMENT BILL.

Act read; *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend "The Consecration of Churchyards Act, 1867."

Resolution *reported:* — Bill *ordered* to be brought in by Mr. MONK and Mr. FORSYTH.

House adjourned at half after Nine o'clock on Tuesday morning.

HOUSE OF LORDS,

Tuesday, 14th May, 1878.

MINUTES.]—*Sat First in Parliament*—The Lord Bishop of Saint David's.

PUBLIC BILLS—*First Reading*—Customs and Inland Revenue*.

Second Reading—Provisional Orders (Ireland) Confirmation (Dungarvan, &c.)* (65); Inclosure Provisional Orders* (64).

Third Reading—Bishoprics (70), and *passed.*

NEW PEERS.

The Right Honourable Gathorne Hardy having been created Viscount Cranbrook of Hemsted in the county of Kent—Was in the usual manner introduced.

The Right Honourable Sir Charles Bowyer Adderley, Knight Commander of the most distinguished Order of Saint Michael and Saint George, having been created Baron Norton of Norton-on-the Moors in the county of Stafford—Was in the usual manner introduced.

CATTLE DISEASES BILL—CORRESPONDENCE.—QUESTION.

THE MARQUESS OF RIPON asked the Lord President, Whether he would lay on the Table the Correspondence between Her Majesty's Government and foreign Governments on the subject of the Cattle Diseases Bill?

THE DUKE OF RICHMOND AND GORDON said, there would be no objection to the production of the Correspondence when the consent of foreign Governments had been obtained.

MILITARY FORCES OF THE CROWN—EMPLOYMENT OF INDIAN TROOPS.

POSTPONEMENT OF NOTICE.

LORD SELBORNE said, he understood that Her Majesty's Government, in the other House of Parliament, had found it convenient to make an arrangement for the discussion of the question of Constitutional Law relative to the movement of troops from India to Malta being taken on Monday next. Under those circumstances, perhaps their Lordships would be of opinion—at least, he had reason to think that the opinion would be entertained by some on that side of the House—that it would be convenient that the discussion in both Houses should take place on the same evening; and he hoped Her Majesty's Government would see its way to allow the Contagious Diseases (Animals) Bill, which stood first for Monday in that House, to be postponed to some other day, in order that the discussion on the constitutional question might take place in both Houses on the same day.

The Duke of RICHMOND and GORDON said, he would postpone the Bill referred to until Tuesday, in order that the discussion on the constitutional question might be proceeded with on Monday.

The Earl of BEACONSFIELD said, he would take the present opportunity of asking the noble and learned Lord (Lord Selborne) whether, when calling attention to the constitutional question referred to, he intended to conclude with a Motion?

Lord SELBORNE was understood to say that it was no unusual practice of their Lordships' House to raise a discussion on a question without concluding with a Motion, and he did not intend to conclude with a Motion on the present question.

BISHOPRICS BILL—(No. 70.)

(*The Lord Steward.*)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."—(*The Lord Steward.*)

The Earl of ROSEBERY rose to move, as an Amendment—

> "That, in the opinion of this House, any necessity that may exist for additional Bishops should be met by an addition to the number of suffragan Bishops."

The noble Earl said, that in moving his Amendment, he would not occupy the time of their Lordships more than was absolutely necessary. Their Lordships would observe that the proposition contained in his Amendment was not aimed at the principle of the Bill—it raised, on the contrary, a very simple question—simply a question between Bishops and Bishops. If their Lordships looked at the Bill, they would perceive that the Bill proposed one kind of Bishop, and his Amendment proposed another kind; and the few remarks he would make in support of his Motion would be more conservative than any, he thought, which would be made against it. In the first place, he must say that there were several objections against the Bill as it stood. The first was, that it was founded, he believed, on the theory that the population of this country was larger in proportion to the number of Bishops than it had been at any previous period. He ventured to question that—he thought it was a fallacy. It was, no doubt, correct to assert that the number of right rev. Prelates having seats in that House was not so great relatively to the population of the country as it was some years ago; but he ventured to say, on the other hand, that there never were so many Bishops as at the present moment. This might well be due to the cause that, as Christianity and civilization spread throughout the Empire, numerous and important Sees had been created. Many of those Sees, indeed, did not fulfil the conditions on which they were founded. Many of those which had been founded in the Colonies possessed a disagreeable climate and a disagreeable population, and did not invite a very prolonged residence. Consequently, there was a very great number of ex-Colonial Bishops—Bishops *in partibus*, as they might almost be termed—and his proposition was based on the consideration that there was an ancient and constitutional method of utilizing those of them who were still anxious to serve the Church, which was much preferable to the method proposed by the Bill of the Government. It was not only that there were at present so many Bishops, but that there were so many classes of Bishops. There were too many classes of Bishops already, but the Government were seeking to create a new class in addition. There were the Archbishops and the Bishops who presided over the Sees of Winchester, Durham, and London, who held seats in that House by virtue of their Dioceses. There were the other Bishops who had seats in their Lordships' House, and who were taken by rotation. There were next three Bishops who were Peers expectant, who would enter the House on vacancies occurring; and next, those four Bishops whom this Bill proposed to create—there would be, therefore, seven Bishops without seats in the House, and who would have to wait until a vacancy arrived for them to enter. There were, then, the large class of Colonial Bishops, or Bishops who had held Colonial Sees, but who were resident in this country. There was also the Bishop of Sodor and Man—a Bishop who stood alone, a recognized Bishop, but one who had no seat in that House; there were Suffragan Bishops, there were Coadjutor Bishops, and there were Bishops of the Episcopal Church of Scotland. He must, therefore, say, that he considered the Government would be doing a serious thing if they added a new class to the numerous and different classes of Bishops already existing in this country. But there was a graver objection than that. They were not only instituting a new class of seven Bishops, who would have no seats in that House, and who would have to wait for seats in it, but these Bishops would have no chapters or deans, and they would have reduced incomes. What would be the result of a comparison between them and the right rev. Prelates who did occupy seats in their Lordships' House? People would say that these Bishops, without chapters, without seats in that House, without large incomes, were quite as efficient as those who possessed those advantages, and would wish to see all Bishops reduced to the same level. He had assumed that these new Bishops were not to have deans and chapters. They were not to have them at first; if they were ever to have them, the expense would be greatly increased, and expense in this case meant delay. It was proposed to raise £14,000 a-year to endow a certain number of Bishoprics, and of that sum £12,000 must be raised by voluntary endowments. If that sum were capitalized, the amount could not be put at less than £300,000. This was a large sum. It was only the other day that a meeting had been held in the proposed Diocese of Liverpool, by far the wealthiest of the new Dioceses, and the greatest disappointment was expressed at the small result of the subscriptions for endowing the new Sees. It would, therefore, clearly appear, that to raise £300,000 by voluntary subscriptions in order to carry out the scheme of the Bill must tend to great delay. But, even supposing that the sum of £300,000 was raised, a contrast would, no doubt, be drawn between the good which was to be got out of it compared with the good which would be done by adding to the income of the very large number of holders of benefices in this country who were in receipt of less than £200 a-year. The sum which they proposed to raise, with great labour and with long delay, for the endowment of the new Bishoprics, would, he maintained, double the income of 3,800 livings, which were below £200 a-year value, and so enable their incumbents to maintain themselves and their families in decency and comfort. Therefore, he could not see that, even looking at this question in a Church point of view, their Lordships had any plea for dealing with it in the manner proposed by this Bill. At any rate, he conceived that the Government ought to bring forward some more weighty argument than they had yet adduced in support of the proposition that they should adopt this expensive process, and, in some respects, objectionable method, instead of adopting the ancient and constitutional means offered by the Statute Book. But not merely would this Bill be injurious to the Church—it would seriously impair their usefulness in this House. He would explain his reason for saying so. When this Bill was passed, they would have seven Bishops outside the walls of Parliament, but waiting their time for their admission to seats therein. Consider what this meant. The right rev. Prelate who had this evening taken his seat (the Bishop of St. David's) had to wait four years for his admission. He (the Earl of Rosebery) did not say that 28 years must elapse before the last of these seven took his seat; what he said was, that a considerable period must necessarily elapse before the junior Bishops could succeed to seats in that House; and that, therefore, they could not, in the ordinary course of things, obtain that experience of Parliament which made the bench of Bishops so valuable a constituent of that House. Why, then, were their Bishops to have no Parliamentary experience, which seemed to be so very desirable? Why should they not be able to take their seats as soon as possible after their elevation? He knew there was a large class of persons in this country who were anxious to see the law so altered, that the right rev. Prelates should be altogether relieved from their functions in this House. But there had always been one answer to that. It was, that the right rev. Prelates had supplied some of the greatest ornaments that ever sat in that House; and he hoped the most rev. Primate, who presided over the Province of Canterbury, would forgive him if he stated in his presence, that they regarded his Grace as one of their greatest ornaments. But the most rev. Primate had had great Parliamentary experience, for he had been 22 years in their Lordships' House. The late Bishop Wilberforce, one of the most eloquent Parliamentary speakers of his time, was in that House for 27 years. Another ornament of that House—the late Bishop of Exeter—sat for the long period of 38 years He hoped that would not be regarded as a reflection on the most rev. Bench, when he referred to their ages. The Archbishop of Canterbury was 45 when he came into this House. The Archbishop of York, also one of their most effective orators, entered at the age of 42, and Bishop Wilberforce at the age of 40. These right rev. Prelates came in the prime of life, and, therefore, were enabled to acquire all the advantages of Parliamentary experience. Then there was the right rev. Prelate (the Bishop of Peterborough), who, he regretted, was not present. Supposing he had been the junior of these seven Bishops, and a vacancy had occurred every 18 months, he would not yet have sat in that House, and the House would have lost the most eloquent speeches of the last 10 years. Even the noble Earl opposite (the Earl of Redesdale), who was not at all a revolutionary person, must have seen the danger which lurked in this Bill; for he brought in, after its introduction, one of the most desperate remedies ever submitted to the House. He proposed that every Bishop who had attained the age of 75 should be allowed to resign his seat in that House, while retaining his See. Well, when they found the noble Earl hoisting the red flag of revolution, and found him introducing a Motion which implied that a Bishop, although not fit to retain a seat in that House, might be still capable of presiding spiritually over his Diocese, their Lordships might take it for granted that the case was not a good one. The proposal he (the Earl of Rosebery) submitted in his Motion was, that they should have recourse to an Act passed in the reign of Henry VIII., for the institution of Suffragan Bishops. That Act happened to fit in exactly with the case in which they found themselves, and enabled them to have more Bishops for their population. He claimed that, as compared with the proposition of the Government, it was more economical, more efficient, more elastic, more immediate in its operation, and entirely unobjectionable in regard to the seats in that House. It stood to reason that an Episcopate of this kind must be cheaper, and he said it was more elastic and efficient; more elastic in this way—that they could at any moment use the machinery without coming to Parliament, and without raising all these questions and debates. He would here notice one objection which had been raised to his proposition, and it was this—They said that the proposition was all very well so far as it went, but that it did not go far enough; because there were only 26 towns mentioned in the Act of Henry VIII. which could give titles to Suffragan Bishops, and they were not situated in the regions where Bishops were wanted. In answer to that, he would suggest that it was not a legislative feat beyond accomplishment to bring in a Bill to add certain towns to those enumerated in the Act. For simplicity, they could find no method to be compared to that. But, further, the highest authority on this question—as he supposed—Sir Robert Phillimore, said—

> "There is no necessity at all that a Suffragan Bishop should take his title from any town in his own Diocese. He may take his title from either of the towns mentioned in the Act, whether connected with the Diocese or not."

Therefore, the Act of Henry VIII. was amply sufficient. He said, then, that they required very strong grounds before passing by the machinery ready to their hands. He could not understand why anyone wishing to deal in a comprehensive way with this question should pass by the Statute — the 26 *Henry* VIII.—to which he had alluded. He had now stated briefly his objections to the Government scheme, and had set forth the recommendations of his own. The difficulty in regard to his own scheme was, that he did not know what to urge against the objections to it—when he could not understand that any objections existed. What he urged against the Government plan was, that it was calculated to injure indirectly the interests of the Church, and seriously to impair the efficiency of that House. On the other hand, he claimed for his proposal, that it was more elastic, efficient, and economical, and did not interfere with the seats in that House. He claimed for it that which should recommend it to noble Lords opposite—namely, that it was the ancient, historical, constitutional way of dealing with the question. The Act of Henry VIII. was not obsolete; for under it, within the last 10 years, three Suffragan Bishops had been created. If the Primate and the Bishops of Lincoln and Winchester were prepared to say that the Suffragan Bishops of Nottingham, Dover, and Guildford had been failures, it might detract from his argument; but, in the absence of such a declaration, he had, he hoped, said enough to recommend his proposition to the unbiassed consideration of that House.

Amendment *moved*,

To leave out all the words after ("that") and insert ("in the opinion of this House any necessity that may exist for additional bishops should be met by an addition to the number of suffragan bishops.")—(*The Earl of Rosebery.*)

THE BISHOP OF LINCOLN: My Lords, I should not have ventured to trespass on your attention at this early stage of the debate, if I had not been in a position, from special and exceptional circumstances, to corroborate a great deal that has fallen from the noble Earl (the Earl of Rosebery) in moving his Amendment, at the same time that I am constrained to dissent from his conclusions. I am emboldened, also, to crave your indulgence, because I am thus enabled to express publicly my sentiments of loyal and dutiful gratitude to the Crown for complying with the prayer of a Petition which was presented by me eight years ago; and which, I am thankful to remember, was cordially supported by the then Prime Minister (Mr. Gladstone) for the assistance of a Bishop Suffragan in the Diocese with which I am connected—the Diocese of Lincoln—under the provisions of the Act of Henry VIII., to which the noble Earl has referred. In consequence of that Petition, a Bishop Suffragan of Nottingham, in the Diocese of Lincoln, was appointed in 1870—the first Bishop Suffragan in England for more than 250 years. For a period of nearly eight years, the duties of that office were discharged in the most exemplary manner by my dear Friend and right rev. Brother, Bishop Mackenzie, to whose valuable services, in the name of the Diocese and my own, I feel bound, in your Lordships' presence, to bear a grateful and honourable testimony. And when, in consequence of failure of health, he was compelled to retire from that office, I received from the noble Earl, the present Head of Her Majesty's Government, a generous assurance that the benefit of that assistance of a Bishop Suffragan would be continued to me. My Lords, I frankly and fully acknowledge the great blessings which the Church derives from the services of Bishops Suffragan. May I be allowed to illustrate this by an example? In the spring of this year the present Bishop Suffragan of Nottingham, Bishop Trollope, has been holding Confirmations in the county of Nottingham, while I have been engaged at the same time in confirming in the other county of the Diocese, the county of Lincoln. Each of us has thus confirmed about 2,000 persons. This could not have been done without a Suffragan. Pardon me, my Lords, for saying that in this way a great benefit has been conferred upon that Diocese. I do not merely refer to the spiritual blessings imparted in the Apostolic rite of Confirmation itself, but I speak of the benefits which arise before Confirmation in stirring up the parochial Clergy to prepare their young people for it, and which also arise after Confirmation in exciting them to prepare their young people for Holy Communion. Your Lordships will not, therefore, imagine that I depreciate and disparage the office of Bishops Suffragan. I go quite as far as the noble Earl in magnifying that office in its proper functions. But then, my Lords, I must beg leave to add that it is not adequate to the needs of the Church. And why? Because a Bishop Suffragan has no Episcopal jurisdiction. He cannot relieve the Diocesan, in the least degree, from the heavy burden of administering that jurisdiction. It greatly increases the amount of good work done in Confirmations; but he cannot provide any relief for the other anxious and arduous cares which press so heavily on Bishops as Diocesans, especially in a restless age like the present. My Lords, pardon a personal reminiscence. The Church of England has just sustained a very heavy loss. She has been deprived of the greatest missionary Bishop of the Anglican Communion—perhaps even of Christendom—in the present age, the Bishop of Lichfield, Bishop Selwyn. Nearly the last time I was present in your Lordships' House I was seated here at his side, and he then showed me, with honourable pride, a letter which he had just received from the noble Earl (the Earl of Carnarvon), the then Secretary of State for the Colonies, announcing to him the royal recognition of his services as the great missionary Bishop of the English Church and of the British Empire, and nominating him to the distinguished rank and title of Prelate of the Order of St. Michael and St. George. The last time that I saw Bishop Selwyn on a public occasion was when he was decorated with the insignia of that Order. My Lords, it is not too much to say that if the present Bill for the increase of the Episcopate, which provides for the division of the Diocese of Lichfield, had been passed five years ago, Bishop Selwyn might probably have been spared to us. He might have been assisting at our deliberations to-night. Let me remind your Lordships that Bishop Selwyn had the advantage of two coadjutor Bishops —two Eton schoolfellows of his own— Bishop Hobhouse and Bishop Abraham—he had, we may say, the benefit of the assistance of two Bishops Suffragan. But, notwithstanding this advantage, he sank beneath the overwhelming pressure of the labours of his enormous Diocese, containing a population of 1,300,000 souls. It may be almost said that he fell a martyr to his Episcopal work. Your Lordships will forgive one word of reference to the Diocese of Lincoln, which is also dealt with in this Bill. It is the largest in England in territorial area. It extends over more than 2,250,000 acres; it contains 800 benefices, and more than 1,000 Clergy. It is proposed in this Bill that it should be divided; that the county of Nottingham should be taken from it and be added to the county of Derby, withdrawn from the Diocese of Lichfield, and that a new Diocese should thus be formed. There can be no doubt that the Diocese of Lincoln, as well as that of Lichfield, ought to be divided; and I thankfully accept this Bill as an instalment in the right direction. At the same time, I venture to think that the important county of Nottingham ought to form a distinct Diocese by itself. Indeed, I should be glad to see English Dioceses, as a general rule—of course, there are exceptions—made conterminous with English counties. But I will not say more. For the sake, not only of the Church, but of society at large, which will derive great spiritual and moral benefits from a division of our larger Dioceses, let me entreat your Lordships to give your cordial assent to a third reading of this Bill.

Lord DENMAN said, that having, on the second reading, praised the then existing arrangement for the Diocese of Lichfield—before Bishop Selwyn's life was shortened by overwork—he might explain why he thought the Amendment of the noble Earl (the Earl of Rosebery) unnecessary, and now gave entire support to this Bill. He believed that Suffragans might exist notwithstanding this Bill, as they did before; and having, in 1856, protested in favour of the re-institution of Suffragans, and desiring an increase of their powers, he might urge that the subscription of the large sums required for each new Diocese would prove the concurrence of its inhabitants in the necessity of each extension; and he hoped that the coadjutors, or separate Bishops, might have such powers as greatly to relieve the Bishops — whom they aided — from anxiety and overwork.

Earl BEAUCHAMP congratulated the noble Earl who had moved the Amendment on his industrious occupation of the Recess—so that, during his researches, he had discovered the Act of Henry VIII., and was now prepared to act upon it. But he must remind his noble Friend, that neither the state of the country nor the conditions of the population at present bore any relation to what they were in the reign of Henry VIII.; and, therefore, that the partial relief afforded by the creation of Suffragan Bishops at that day was not sufficient to meet the emergencies of the Church at the present. Those needs it was the object of the Bill the Government had introduced to supply. As to the regret of the noble Earl that the scheme for erecting the new See of Liverpool progressed but slowly, he had had a letter from a gentleman occupying one of the highest official positions in that town, which expressed the fullest confidence that the requisite funds would be raised in a very short time. In proposing this measure, Her Majesty's Government were not embarking on any idle or extravagant schemes. They had the experience of the Colonial Churches to guide them, by which it appeared that the most effectual method of organizing the Church and providing adequately for the Clergy was to establish a Bishop as the head of the organization, and that through his influence it invariably resulted that endowments were provided on a more liberal scale than where the Clergy were unsustained by direct Episcopal authority. It had been objected to their proposals that these new Bishops would have no deans and chapters, and that they would be without seats in the House. It was, no doubt, a misfortune that they were not in a position to provide deans and chapters for the new Sees, and that the new Bishops should not all have seats in their Lordships' House. The whole question was beset with difficulties and dangers, but the greatest difficulty and danger was in leaving things as they were. Those living among the dense masses of population which were comprehended within the districts affected must be convinced that benefit would result from the proposed scheme. Greater efficiency would follow from the development of the scheme. The principle of the Bill was to bring about a better organization in the Church; and, as that principle would be interfered with by the Amendment of the noble Earl, he felt bound to oppose it.

THE EARL OF ROSEBERY, in reply, pointed out that there were already, without the passing of an Act of Parliament, in four Dioceses, no less than 13 official Bishops. He also observed that the noble Earl have not even touched on his arguments with regard to the bearing of the Bill on the House of Lords.

LORD ORANMORE AND BROWNE said, it was not a question of increasing the number of Bishops, but of increasing the strength of the existing Bishops, who had not shown themselves capable of dealing with objectionable practices within the Church. Some time ago, the right rev. Bench met in Convocation, and condemned the practice of confession in connection with the Church of England; but when, last year, the noble Earl the Chairman of Committees, (the Earl of Redesdale) brought the question before the House, only three or four Members of the right rev. Bench condescended to be present. Since then, a very remarkable book had been made public by Dr. Pusey, which advocated confession; but he (Lord Oranmore and Browne) was not aware that the right rev. Bench had said anything against its teaching. He did not think that the people generally—however much some might be disposed to run after strange practices—were at all satisfied with the manner in which the existing Prelates governed their Dioceses, and they would not be anxious that their number should be increased until they saw something like unanimity on the part of the Bishops now existing, in putting the law in force against practices already pronounced illegal. In the present state of things, he felt sure that public opinion and the voice of the people, if it could be taken on the subject, would in no way sanction this Bill, and he should vote against it.

On Question, whether the words proposed to be left out shall stand part of the Motion? Their Lordships *divided* :—Contents 107; Not Contents 33: Majority 74.

CONTENTS.

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Cairns, L. (*L. Chancellor.*)

Manchester, D.
Northumberland, D.
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Abergavenny, M.
Bristol, M.
Hertford, M.
Salisbury, M.

Amherst, E.
Bathurst, E.
Beaconsfield, E.
Beauchamp, E.
Belmore, E.
Bradford, E.
Cadogan, E.
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Coventry, E.
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Mount Edgecumbe, E.
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Stanhope, E.
Verulam, E.
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Wharncliffe, E.

Cranbrook, V.
Gordon, V. (*E. Aberdeen.*)
Hardinge, V.
Hawarden, V. [*Teller.*]

Carlisle, L. Bp.
Chichester, L. Bp.
Durham, L. Bp.
Ely, L. Bp.
Exeter, L. Bp.
Hereford, L. Bp.
Lincoln, L. Bp.
Llandaff, L. Bp.
London, L. Bp.
Oxford, L. Bp.
Salisbury, L. Bp.
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St. Asaph, L. Bp.
St. David's, L. Bp.
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Airey, L.
Ashford, L. (*V. Bury.*)

Aveland, L.
Bagot, L.
Balfour of Burley, L.
Bloomfield, L.
Brancepeth, L. (*V. Boyne.*)
Brodrick, L. (*V. Midleton.*)
Chelmsford, L.
Clinton, L.
Colchester, L.
Colville of Culross, L.
Cottesloe, L.
Crewe, L.
Delamere, L.
De L'Isle and Dudley, L.
Denman, L.
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Elphinstone, L.
Forester, L.
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Gordon of Drumearn, L.
Gwydir, L.
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Hanmer, L.
Hartismere, L. (*L. Henniker.*)
Hastings, L. (*E. Loudoun.*)
Heytesbury, L.
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Leconfield, L.
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Norton, L.
Ormonde, L. (*M. Ormonde.*)
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Rayleigh, L.
Rivers, L.
Ross, L. (*E. Glasgow.*)
Saltersford, L. (*E. Courtown.*)
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Skelmersdale, L. [*Teller.*]
Sondes, L.
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Kimberley, E.
Lovelace, E.
Morley, E. [*Teller.*]
Spencer, E.
Sydney, E.

Cardwell, V.
Powerscourt, V.

Abercromby, L.
Belper, L.
Boyle, L. (*E. Cork and Orrery.*)
Chesham, L.
Foley, L.
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Kinnaird, L.
Leigh, L.
Oranmore and Browne, L.
Ponsonby, L. (*E. Bessborough.*)
Ribblesdale, L.
Romilly, L.
Rosebery, L. (*E. Rosebery.*) [*Teller.*]
Sefton, L. (*E. Sefton.*)
Truro, L.
Vivian, L.
Waveney, L.

Resolved in the *Affirmative;* Then the said Motion *agreed to;* Bill read 3^a accordingly; Amendments made; Bill *passed,* and sent to the Commons.

NEW SOUTH WALES—COLONIAL FINANCE.

QUESTION. ADDRESS FOR PAPERS.

THE EARL OF BELMORE, in rising to put the Question of which he had given Notice to his noble Friend the Under Secretary of State for the Colonies, could assure their Lordships that, upon the present occasion, he did not intend to invite them to discuss upon their merits the differences which had lately arisen in the Colony of Victoria. But a question of wide constitutional importance, not confined to a single Colony, had been raised in the course of them—by no means for the first time—namely, when the public money was "legally available." The Constitution Acts of both New South Wales and Victoria, which instituted Responsible Government, and two Houses of Legislature, were passed in 1855. Public money was issued upon the warrant of the Governor. Therefore, Colonial precedents prior to 1855 were irrelevant. On the 18th December, 1857, the Commissioners of Audit in Victoria, having reason to believe that the Annual Appropriation Act would not have become law before claims upon the Treasury for 1858 would have become due and payable, requested the Colonial Treasurer to submit the following case for the opinion of the Law Officers, in order to satisfy their doubts upon the subject of their duty in the matter:—

> "The Audit Act, 21 Vic. No. 24, provides (Clauses 17, 18, 19) that no moneys, shall after the 1st January next, be issued from the Treasury, until the Commissioners of Audit or two of them, shall have countersigned a warrant addressed to the Treasurer. Before signing the warrant, the Commissioners are to ascertain that the sums included in it are legally available for, and applicable to, the service or purpose mentioned; they cannot sign unless such be the case; and without their signatures the moneys may not be issued. No moneys, therefore, are to be issued from the Treasury until the same are legally available. The question arises, whether the words 'legally available' imply, as would seem to be the case, that the Appropriation Act must have passed both Houses, and have become law; or, whether, on the ground of custom and precedent, the resolutions of the Assembly, duly agreed to by the House, but without the consent of the other branches of the Legislature, may be considered as making the money legally available for issue. Of course, the Governor's signature was finally necessary."

At first, the Solicitor General (afterwards Mr. Justice Fellowes) was of opinion that the House should be consulted; but, on the 11th January, 1858, he gave a second opinion as follows:—

> "I think the resolutions of a Committee of Supply reported to, and adopted by, the House, make the amount 'legally available.' In point of fact, Votes of Credit were passed, and moneys issued on them in 1857, when changes of

> Ministers took place, and which have never been questioned. It is, moreover, in accordance with the practice of the House of Commons."

In the year 1858, the Commissioners of Audit submitted a case to the Attorney General; and it was out of this case, that his (the Earl of Belmore's) question arose. The Commissioners say—

> "The Commissioners of Audit are required, before certifying the warrants for the issue of money, to ascertain whether it is legally available. It has been the practice both in England and in this Colony, to issue money from the Treasury during the Session of the Legislature in payment for services voted in Committee of Supply, and agreed to by the House, the subsequent passing of an Appropriation Act in the same Session, making the supplies *ex post facto*, the Supplies authorized by law. The Commissioners were doubtful in how far this custom, which in England had prevailed for some centuries, had the force of law here."

On consulting the Law Officers, they had received an affirmative reply as to the legality of the practice, and it had been continued. A further question had arisen as to Votes taken too late to be included in the Appropriation Act of the year, and upon this they required advice. The Attorney General (Mr. Chapman) admitted that in principle no grant of the Commons in England was effectual without an Appropriation Act. He said—

> "But in practice the rule was not observed; and if it were, the public service could not be carried on without a number of Appropriation Acts;"

And, after some further remarks, and alluding to the case of the Dissolution of 1831, ended his opinion as follows:—

> "I suggest, therefore, to the Commissioners of Audit, that the rule observed in England in 1831 should, *ex necessitate*, be observed here. The greatest inconvenience to the public service, and even a fatal disturbance to the public credit, might be the consequence of any other course."

The Commissioners did not appear to have been quite satisfied with this opinion, or the one given in the same year by Mr. Fellowes, and the Solicitor General before quoted. They submitted a further case, based upon a memorandum by one of their number (Mr. Agg), who had observed that in England it was the custom to pass during the Session Consolidated Fund Bills and Exchequer Bond Bills, which contained a clause authorizing the issue and application of moneys. Mr. Agg could only find one case, and that so far back as 1784, in which money was issued without such an Act. The Commissioners, therefore, seemed to have come to the conclusion that in England the public money was issued only by express legislative sanction. The Attorney General, in his final opinion, took a different view of the nature and extent of the English Bills alluded to, and adhered to his former opinion. In March, 1859, Mr. Chapman gave an opinion in view of the possibility of Parliament separating without first passing an Appropriation Act, in which the following sentence occurs:—

> "In like manner, I think any sums voted in Committee of Supply and duly reported, may be paid according to the practice of Parliament, but they must be re-voted."

This opinion was based on an English precedent, which occurred after the sudden Dissolution of Parliament in April, 1831. These opinions were apparently taken as unquestionable law in Victoria, until the year 1862. In the latter year, the Under Treasurer informed the Audit Commissioners, that in future it was intended to abandon this practice, and to pass, from time to time, Bills to legalize urgent expenditure in anticipation of the Appropriation Act; that an Act then before Parliament could not be passed in time to legalize some then pressing payments for which a warrant was inclosed, and that the warrant would be the last under the old practice. No further reason was given for this, than that the matter had been discussed in the House. The Auditors, in a reply of some length on the 29th January, 1862, stated that—

> "Hitherto guided by the decisions of the Law Officers of the Crown, we have considered money to be legally available when voted in a Committee of Supply, and duly reported to the Legislative Assembly; and, so far as our information extends, nothing has yet occurred to alter either the legal aspect of the question or our views in regard to it, and, consequently, it is not, as we conceive, competent for us to stop the practice hitherto in force. You will probably recollect that, in bringing this question under the notice of Parliament in our last annual Report, we stated our opinion that nothing less than the direct action of one or both Houses could alter the then existing practice; and we have reason to believe that that opinion was very generally concurred in by both the Legislature and the Government."

After some further remarks, the Audit Commissioners said—

> "It is necessary, however, that we should state, in reference to the introduction of a Bill

upon the present subject, as mentioned by the Under Treasurer, that the passing of the first Act, other than the usual Appropriation Act for giving validity to the Supply Votes of the Assembly, will, so far as we are concerned, settle the practice for the future; for such an Act will be a distinct declaration by Parliament that the money is not legally available for issue without the concurrence of both Houses of Parliament."

The Commissioners, however, suggested that it would be well to ascertain if the public service could not be carried on without using the warrant in question; or whether the Legislative Council (the Upper House) could not be called together for the purpose of passing the Bill before the payments had to be made? In the following year a difficulty arose. Parliament had separated before the Governor had given the Royal Assent to a Bill legalizing certain expenditure. It appeared that in Victoria, unlike New South Wales, it was the custom for the Governor never to assent to a Bill except in the Parliament Buildings. Under these circumstances, the Audit Commissioners were requested to countersign a warrant drawn under authority of the Bill which had passed both Houses, but in anticipation of the Governor's assent. In a long paper, dated 6th July, 1863, they raised difficulties as to giving a certificate that the moneys were "legally available" for, or "applicable" to, the services in question. They thought they were not. As, however, they saw that the Treasurer, who was equally with themselves bound by the Audit Act, had signed the warrant, they asked, before coming to a final determination, to be further informed upon what grounds the money was considered issuable? They thought that—

> "Reliance should not be placed upon the English practice, as the form of the Appropriation Act shows that the Commons grant, and the Lords assent, to that measure; the concurrence of the Sovereign being also expressed in a form of words different from that in use on other occasions. But, under the written constitution of this Colony (Victoria), all three branches of the Legislature must unite in passing an Appropriation or other Money Bill, in the same manner as in the making of laws in general."

They went on to give other reasons, and they even suggested the advisability of calling Parliament together in order that the Governor's assent might be given in what was held to be due form. It appeared, from a letter dated 6th August, 1863 (on page 12 of the Correspondence), and also from an extract from Report of Commissioners of Audit for that year, that the latter did not, in the event, countersign the warrant until after the Bill had duly received the Governor's assent. In the year 1865, Governor Sir Charles Darling asked the Law Officers the following questions:—

> "Is not the 45th section of the Constitution Act in effect an appropriation of the amount of all costs, charges, and expenses incident to the collection, management, and receipt of the Revenue, such expenditure to be reviewed and audited as directed by the Legislature?"

And, further on—

> "Is there any practical or legal difference between the words 'The Consolidated Revenue of Victoria shall be permanently charged,' and the words 'There shall be payable every year out of the Consolidated Revenue of Victoria?'"

Sir Charles Darling, also, appeared to think that the 6th clause of the Civil Service Act had the effect of appropriating salaries. The Law Officers, Messrs. Higinbotham and Michie, in a long opinion, seem to have given an affirmative answer to the Governor; but they concluded it as follows:—

> "The above opinion is independent of, and does not dispose of the question, as to whether moneys to the credit of the public account are legally available to satisfy Votes of the Assembly prior to the passing of the Appropriation Act. We are of opinion that such moneys are 'legally available,' and they were always so treated till the Audit Commissioners, some time back, expressed an opinion that such Votes should receive, before being acted upon, the sanction of the entire Legislature; since which opinion of the Commissioners, the practice has been—but unnecessarily, as we think—to refrain from acting on these Votes until an Appropriation Act confirming them was passed."

The present Attorney General of Victoria (Mr. Le Poer Trench), in an opinion, dated 24th January, 1878 (on page 5), states that he "concurs in the views of his predecessors as to when public money is legally available." He now must draw their Lordships' attention to what had taken place with reference to this matter in New South Wales, where he might say that this question was settled by the noble Earl opposite the late Foreign Secretary (Earl Granville) in a contrary sense to that contended for in Victoria; which ruling had, so far as he knew, been held to be decisive to this day. It appeared, that in the year 1860, the Legislative Council of New South Wales took objection to payments being made in anticipation of the Appropriation Act, and submitted to the Governor (Sir William Denison) the following Resolutions :—

"(1.) That this Council proceeds to the Order of the Day for the third reading of the Appropriation Bill, upon the full understanding that this measure will not of itself involve a sanction or indemnity with regard to any portion of the illegal expenditure of public moneys which has avowedly been made by the Government since the passing of the last Appropriation Act.

"(2.) That the mere coincidence of any items in the Appropriation Act with an antecedent unauthorized expenditure, is not alone in the opinion of this Council any ground of immunity to the persons concerned in thus violating the Law and the Constitution; and that even in cases where great public emergency can be pleaded in excuse, the illegality can only be properly condoned by a distinct Act of Indemnity, passed in due form by all branches of the Legislature.

"(3.) That this Council, in further assertions of its undoubted rights as a branch of the Legislature, resolves, that for any person or persons whatsoever employed in the payment of public money, to pay or cause to be paid any sum or sums of money for or towards the support of Services, whether voted in any Session of Parliament or not, before the same be included in an Act of the Legislature, duly passed according to law, is derogatory to the Privileges of Parliament, and subversive of the Constitution."

The 4th and 5th Resolutions were for an Address to the Governor, and for transmission of the Resolutions to the Secretary of State. Sir William Denison, in forwarding these Resolutions, pointed out that the principle affirmed in them was at variance with the practice which had prevailed in the Colonies. The Duke of Newcastle did not appear himself to have given any specific instructions; but he forwarded a copy of a correspondence with the Governor of New Zealand for the information of the Officer administering the Government—Sir William Denison having been on the point of leaving when he wrote his despatch. The only portion of this correspondence to which he had access did not bear upon the subject. The Duke of Newcastle trusted that the moderation and prudence of both branches of the Legislature would prevent a recurrence of the difficulty. When he (the Earl of Belmore) arrived in New South Wales, in 1868, he found that, although it was not then the custom to pay money upon the authority of Votes in Supply, but to pass temporary Appropriation Acts, as was done in Victoria from 1862, yet that the Votes of the Assembly itself were constantly being anticipated by Orders in Council. This seemed to him to be a very irregular practice; and the whole system which regulated public issues in New South Wales cast so much responsibility upon the Governor, without, at the same time, giving him an effective control, that he thought it advisable to ask the Duke of Buckingham to give him specific instructions in the matter. The Colonial Treasurer, although he claimed a constitutional right for the existing system, admitted that it was one that could not be maintained in a Court of Law. The Duke of Buckingham, in a despatch which was subsequently permitted to be published, instructed him, in effect, that such expenditure as he had called his attention to was illegal. But he thought that it might be justifiable on these grounds—namely, firstly, necessity; and, secondly, on the ground that it was sure to be subsequently sanctioned, joined to strong grounds of expediency, even though short of actual necessity. Not long after he received these instructions, a case occurred in which, owing to a pure accident, the Legislative Council adjourned to the 3rd of the following month, before a temporary Appropriation Bill for the payments due on the 1st of the month had reached it. He considered this just such a case as the instructions applied to, and he himself called the attention of the Executive Council to the matter; and, by their advice, issued his warrant as usual. He knew that the inconvenience to the Civil servants in not receiving their salaries would be great. Unfortunately, the Legislative Council took a different view of the matter from what he did, and they—in an Amendment to a Motion submitted to them—expressed their regret that such an irregularity had been permitted, and re-affirmed, and sent him their Resolutions of 1860. This, he believed, was the first he had heard of the Resolutions of 1860. He drew the noble Earl's (Earl Granville's) attention to the matter, which he explained to him. He told him that, as he read the Constitution Act, an Appropriation Act was not

"required to authorize the Governor to sign any Warrant, but to authorize the Treasurer to act upon it;"

and he asked for his correction, if this view was wrong. He explained the peculiar financial system which then prevailed in the Colony, and he concluded by justifying his action by a reference from the Duke of Buckingham's instructions. The noble Earl, in his reply, did not concur in his reading of the Constitution Act. In this, he (the Earl of Belmore) now entirely concurred. Having reference to the Duke of Buckingham's despatch, Lord Granville "was not prepared to disapprove the course" he (the Earl of Belmore) had adopted. At the same time, he thought he had somewhat misunderstood the spirit of the instructions—that a temporary inconvenience to a number of public officers could not be viewed as an unforeseen emergency, as it must always result from a delay in passing an Appropriation Act; nor was it such a case of expediency as would justify a violation of the law. The noble Earl concluded as follows:—

> "But, independently of these considerations, the question is settled prospectively by the action of the Legislative Council; as I consider it clear that, except in case of absolute and immediate necessity—such as, *e.g.*, the preservation of life—no expenditure of public money should be incurred without sanction of law, unless it may be presumed not only that both branches of the Legislature will hold the expenditure itself unobjectionable, but also that they will approve of that expenditure being made in anticipation of their consent. Your Lordship will not, therefore, be at liberty on any future occasion to repeat the step you have adopted in this case."

He referred these instructions to his Ministers, and, at their request, transmitted a protest from them, drawn up by the Treasurer, against the instructions. At present, he need only refer to one point in this document, where the 14th section of the 29 & 30 *Vict.* c. 39 was referred to. In this country, of late years, the practice which prevailed here was expressly authorized by that Act, and there was no need to wait for the passing of the Appropriation Act. The noble Earl, on receipt of this protest, sent him, in reply, a despatch dated 7th January, 1870, which their Lordships would find referred to by the Prime Minister of Victoria, on page 39 in a Memorandum addressed to Sir George Bowen on the 31st of December last. This despatch had, since it was passed, to the best of his knowledge, ruled the practice in New South Wales; and he must presently

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return for a few moments to Mr. Berry's reference to it; because, if that gentleman's view of it were accepted, all the good done by it in curing a faulty system in New South Wales was placed, in his view, in danger of being undone. The noble Earl, in his despatch, after referring to one of the preceding parts of the New South Wales Minister's Memorandum, continues thus—

> "The Paper concludes as follows:—'Under these circumstances, I advise my Colleagues to join with me in an expression of opinion against the instructions lately issued by the right hon. the Secretary of State for the Colonies to his Excellency the Governor, as amounting to an interference in matters of local government, with our responsibility as Ministers of the Crown and Representatives of the Parliament and people of this Colony, upon a matter entirely unconnected with Imperial interests.'"

The noble Earl continued—

> "So formal a protest from your Ministers against the unconstitutional character of the instructions sent out to you, renders it my duty to explain fully to them and to the people of New South Wales the position adopted in this matter by Her Majesty's Government, and the considerations by which they are led to it. I begin by admitting unreservedly that the matter now in hand is one of purely local interest, in respect to which Her Majesty's Government only desire that you should conform your conduct to the wishes of the Colony when constitutionally ascertained."

The noble Earl then went into the question in an exhaustive manner, and, after telling him that in ordinary cases, if the law required him to do one thing, and the Executive Council advised another, it would be his duty to obey the law, he, after referring to the Constitution Act as bearing on the matter, said—

> "On the Governor, therefore, is imposed the duty of seeing that no breach of the law is committed."

He remarked that the Legislature might have made a different arrangement as regarded finance, and he said—

> "Instead of doing this, they have made the Governor responsible for the execution, and, therefore, for every violation of the law. That responsibility is, in the opinion of Her Majesty's Government, a personal one."

Further on, he said—

> "I am unable, therefore, to recall the instructions already communicated to you. You are to consider the Legislature as the most authoritative exponent of the will of the Colony. When the Legislature has enacted a law, you are not

> to transgress that law, unless upon a reasonable conviction that the Legislature would itself approve of your doing so. But you are justified in assuming such an approval under the pressure of one of those overwhelming emergencies—dangerous to anticipate or define—which dispense with all rule, or in cases of less moment when there are specific reasons for presuming that the Legislature will sanction a certain specific expenditure, and will desire its sanction to be anticipated."

The noble Earl hoped that there would be little chance of these instructions bringing him into collision with his Ministers, as had been apprehended; if it did, it would be necessary to ascertain the wishes of the Colony, and defer to them. Should the Colony decide in favour of a change, the most satisfactory course would be to carry it out by Statute. With regard to this, he said—

> "If, however, the passing of such an Act is likely to raise any collateral issues, or otherwise to be attended with difficulty or delay, I think that in the present case, which is rather constitutional than legal, the desire of the community would be sufficiently expressed by an Address from both branches of the Legislature. If, therefore, the Council and Assembly should request you to be hereafter guided by the advice of your Ministers, in the execution of the duties imposed on you by the 55th section of the Constitution Act, Her Majesty authorizes you to accede to that request, and will then hold you relieved from the personal responsibility which now attaches to you."

He concluded his despatch with these words—

> "But they—*i.e.*, Her Majesty's subjects in New South Wales—must remember, that whatever trust they impose on him—*i.e.*, the Governor—it is his duty to execute it punctually, and theirs to support him in doing so."

He (the Earl of Belmore) knew that the existing system of finance in the Colony was quite incompatible with the due carrying out by him of these instructions. He felt sure, moreover, that the Legislative Council would not pass such an Address. He referred, therefore, the despatch to his Ministers, with a Minute entering fully into the matter, and urging an amendment of law and the providing an Emergency Fund; which, he was glad to say, was carried out during the then Session. The financial system had been, as far as he knew, strictly carried out as regarded issuing Warrants in accordance with the noble Earl's instructions, since the amendment of the Law in 1870. On one occasion, on an emergency caused by a Dissolution without Supply in 1872, an arrangement, confessedly *ultra vires*, was made soon after he had left the Colony, between the Executive and the Bank; but no Warrant was issued, he believed, to cover this arrangement till after Parliament had passed an Act authorizing the payments made. Mr. Berry appeared to put a totally different construction on these instructions. He told Sir George Bowen, referring to the noble Earl's despatch—

> "Earl Granville intimated on January 7th, 1870, that the Governor would be relieved from all personal responsibility, and that he might, in cases of emergency, sign Warrants for the issue of public money, though without the previous sanction of Statute Law, provided that there was sufficient evidence that the Legislature desired him to adopt that course at the instance of his Responsible Advisers. Ministers believe that a great emergency, far more critical than any foreseen by Earl Granville, has now arisen in Victoria. The Legislative Council has rejected on merely technical grounds of privilege, the General Appropriation Bill of the year;"

and so on. He (the Earl of Belmore) apprehended that the noble Earl would hardly agree with that interpretation of his instructions. He must apologize for the length at which he had gone into the matter. In England, the law has guarded, by the 14th section of the 29 & 30 *Vict.* c. 39, and by providing an Emergency Fund, and by allowing the transference, temporarily, of money voted for one branch of Army Services or Navy Services, as the case may be, to another with the consent of the Treasury—against any probable inconvenience. What the practice was before the passing of that Act he did not know. It, at any rate, appeared to have been relied on in Victoria in former years, and it was taken for granted that it was authorized by custom and precedent. The English Act did not extend to the Australian Colonies, having been passed since their Constitutions were granted. He, therefore, asked the Under Secretary of State for the Colonies, If he can state under what circumstances the 14th section of the Imperial Act 29th and 30th Vict., chap. 39, was passed; also, what was the practice and the authority for such practice prior to the passing of that Act as regarded the issuing of money out of the Consolidated Fund in this country?

He begged further to move an Address for—

> "Copies or extracts of correspondence between the Secretary of State for the Colonies and the Governor of New South Wales in the years 1868, 1869, or 1870, relative to the issue of public money under the Governor's warrant, including particularly the despatch No. 1 of 7th January 1870, from the Earl Granville to the Earl of Belmore."

EARL CADOGAN said, the noble Earl (the Earl of Belmore) had given a perfectly correct version of the question in dispute in the Colony of Victoria. Sir George Bowen, having been advised by his Ministers that it was within his power to sign Warrants for money not granted by an Act passed by both Houses, referred the matter first to the Law Officers in Victoria, and since then to the Home Government. The question had now been referred to the Law Officers of the Crown, and, it being still *sub judice*, it would not be convenient that he should offer any opinion on the subject. It was not necessary he should say more on the whole subject than that, generally speaking, the Colonial Office was still prepared to adhere to the views embodied in the despatch of the noble Earl opposite (Earl Granville) of January, 1870. The Act of Parliament alluded to in the Question was merely a re-enactment of a previous Act—William IV. c. 15—which altered in detail but not in principle the practice it continued. This was that the House of Commons resolved itself into Committee of Supply on Estimates; and the Resolutions passed, limited to one year, being reported and confirmed, the House resolved itself into a Committee of Ways and Means. The Resolutions of the Committee of Ways and Means, being reported and confirmed, were embodied in a Bill which passed through both Houses; and no money could be paid to the credit of the Consolidated Fund until a Bill had been passed, when the Controller and Auditor General could obtain the money at the Bank and authorize the Treasury to draw from the Consolidated Fund such moneys as might be required. When a Bill had been passed, it was possible to obtain money for Services which were the subject of Resolutions subsequent to a Bill. This year, for instance, on the 14th and 15th of March, £12,000,000 were granted for the Army and Navy Services; and, on the 19th of March, the Resolutions were embodied in a Bill which received the Royal Assent on the 28th. The money was now being used for other purposes connected with the Civil Services under Resolutions which had been passed since. The noble Earl (the Earl of Belmore) had been placed in some difficulty in his reading of the Act; because there was an imperfect quotation of it in the Memorandum sent out to him from the Treasury. The 14th section authorized Her Majesty, under the Royal Sign Manual, to require the Treasury to make issues, "as hereinafter provided," in the 15th section, which began by saying—"When any Ways and Means shall have been granted by Parliament;" but this clause, and the reference to it in the 14th, were omitted in the Memorandum. If the noble Earl would read the two clauses, he would find that they did not bear out the construction he had put upon the Act. Those who drew up the case for an opinion, which had been quoted from the Victoria papers, were clearly in error as far as the practice in England was concerned. But, whatever interpretation was put upon Acts and practice as far as the United Kingdom was concerned, it did not follow that the same practice need prevail in the Colonies. No doubt, there was an analogy, and perhaps the noble Earl was justified in citing the practice of Parliament in England in explanation of the practice in New South Wales and Victoria; but it did not follow that the Colonies were bound by our practice. He could only give this information at present, and add that the Motion for Papers would be assented to.

THE EARL OF BELMORE (speaking from what he then remembered), said, that in the Colony he had not the Statutes to refer to, and naturally assumed that the quotation made in the Memorandum was correct.

Motion *agreed to.*

House adjourned at a quarter past Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 14*th May*, 1878.

MINUTES.]—SELECT COMMITTEE—Land Registration, *appointed;* East India (Public Works), Mr. Eustace Smith *discharged*, Mr. Ernest Noel *added.*

PUBLIC BILLS — *Ordered* — *First Reading*— Criminal Code (Indictable Offences) [178]; Elementary Education Provisional Order (Portsmouth) * [179].

First Reading — Consecration of Churchyards Act (1867) Amendment * [176].

Second Reading—Elementary Education Provisional Order Confirmation (Mickleover) * [161]; Local Government Provisional Orders (Droitwich, &c.) * [163]; Local Government Provisional Orders (Dawlish, &c.) * [167]; Pier and Harbour Orders Confirmation (No. 2)* [159]; Acknowledgment of Deeds by Married Women (Ireland) [173]; Highways (South Wales) * [160].

Second Reading—Tramways Orders Confirmation (No. 3) * [174], and referred to Select Committee on Tramways (Use of Mechanical Power).

Committee—Report—Dental Practitioners * [96-177].

Considered as amended—Public Health Act (1875) Amendment * [144].

Withdrawn—Marriage with a Deceased Wife's Sister * [52].

QUESTIONS.

ARMY—COMPULSORY RETIREMENT OF OFFICERS.—QUESTION.

GENERAL SHUTE asked the Secretary of State for War, Whether he will consider the disadvantageous position in which officers are placed who are themselves subject to a system of forced retirement, while the Lieutenant Colonels of their regiments are not limited to a five years' command?

COLONEL STANLEY, in reply, said, the subject was considered by a Royal Commission that reported in August, 1877. The Royal Warrant was framed on its recommendations, and it was not proposed to make any alteration in the existing regulations.

POST OFFICE — THE MONEY ORDER OFFICE—SALARIES.—QUESTION.

SIR CHARLES W. DILKE asked the Postmaster General, with reference to the three principal clerks employed in the Money Order Office at salaries of £420 each, rising by annual increments of £20, Why £1,760 is taken in the Civil Service Estimates to meet the charge for those salaries; and, whether the scheme of re-organization proposed for the Money Order Office has received the sanction of the Treasury; and, if not, whether he intends to fill up the vacancies in that office, some of which have been open since 1874, and for filling which provision seems to have been made in the Civil Service Estimates for the current financial year?

LORD JOHN MANNERS, in reply, said, that the amount of the salaries of the three principal clerks referred to was £1,320, and not £1,760, as was, by a mistake, stated in the Civil Service Estimates. A part of the scheme of re-organization proposed for the Money Order Office had been sanctioned by the Treasury, but not the whole. He hoped before long it would be so, and then no time would be lost in raising the Establishment to its proper footing.

COAL MINES—THE BLANTYRE EXPLOSION.—QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If his attention has been called to the Report of Inspector Moore as to the explosion which took place on the 20th August 1877 in the No. 2 Pit, Blantyre, in which he states

> "that a fall of the roof took place in the waste close to them, which brought down some fire-damp. It ignited at their naked lights and burned them both;"

whether Inspector Moore visited the survivor, Francis McMulty, to get any information as to the cause of the explosion to frame the Report, as the survivor alone could give a true account of the explosion; and, whether it is true that an order was given for the fireman Black to be prosecuted for a breach of the special rules; and, if so, why the prosecution was abandoned some time before the explosion on the 22nd October, by which he lost his life?

MR. ASSHETON CROSS, in reply, said, he did not see his right hon. and learned Friend the Lord Advocate, who could, perhaps, best reply to the Question, in his place; but he knew the right hon. and learned Gentleman was in communication with the Procurator Fiscal on the subject to which it referred. He hoped the hon. Member would postpone the Question until the Lord Advocate himself could reply to it.

PUBLIC HEALTH (IRELAND) BILL.

QUESTION.

Mr. REDMOND asked the Chief Secretary for Ireland, Whether the Government, in view of the practical inconvenience in matters of local government arising from delay, propose to take steps to insure the passing into Law, at as early a period of the Session as possible, of the Public Health (Ireland) Bill?

Mr. J. LOWTHER, in reply, said, he was fully alive to the importance of the measure referred to. The large number of Amendments to it of which Notice had been given were being fully considered; and he hoped the result would be that, with the assistance of hon. Members on both sides of the House, the Government would be able to pass the Bill into law that Session.

ARMY—MARRIED OFFICERS AND SOLDIERS.—QUESTION.

Major O'BEIRNE asked the Secretary of State for War, If there be a Regulation of the Service in force subjecting any non-commissioned officer or soldier of good character, and in any branch of the Service, who marries without leave, to the penalty of having his name struck off permanently from the married strength of the Army?

Colonel STANLEY, in reply, said, that he had not much to add to what he said yesterday. There was no such Regulation as the hon. and gallant Member spoke of; but, no doubt, there was a rule under which non-commissioned officers and soldiers lost certain advantages unless they obtained the consent of their commanding officers to the marriage before it took place. That was the effect of the Circular of 1871; but, as a matter of fact, men who had married without leave were, if their conduct was satisfactory, in nine cases out of ten, appointed to the vacant places on the married strength of the regiment as they occurred.

METROPOLIS—LONDON BRIDGE.

QUESTION.

Sir HENRY PEEK asked Mr. Chancellor of the Exchequer, Whether any application has been made by the Corporation of the City of London to the Lords of the Treasury for their consent to the suggested alteration of London Bridge, as required by the Acts of Parliament under which the Treasury provided £192,000 out of the Consolidated Fund towards the cost of its erection?

The CHANCELLOR of the EXCHEQUER: Sir, I only accidentally happened to see my hon. Friend's Question a very few minutes before I came down to the House. I sent up to make inquiry at the Treasury, and I understand from what I was told that no such application has been received. If I find I am misinformed, I will inform my hon. Friend to-morrow.

CUSTOMS—POSITION OF OUTPORT CLERKS.—QUESTION.

Sir EDWARD WATKIN asked the Secretary to the Treasury, If he will explain to the House on what grounds the application of the outport clerks of the Customs to be placed on a footing of equality with the Customs clerks in London was rejected on the 4th March last?

Sir HENRY SELWIN-IBBETSON, in reply, said, that the grounds on which the application mentioned in the Question had been rejected was simply on the question of a difference in the rates of wages; which, as the hon. Member was aware, varied in almost every district. As the employers of labour generally were not bound by one scale of pay, so it would hardly be fair for the Government, as an employer of labour, to equalize the rate of pay all over the country, when the scale of local wages varied so considerably.

MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT.

QUESTION.

The Marquess of HARTINGTON: Sir, as I arranged yesterday, I have communicated with the Chancellor of the Exchequer, and I have given Notice for Monday next of the Resolution to which I referred yesterday. I will now, for the convenience of the House, ask the Chancellor of the Exchequer, Whether he will be willing on that day to postpone the Orders, so that precedence may be given to the debate on the Resolution?

THE CHANCELLOR OF THE EXCHEQUER: Yes, Sir; that is an arrangement which I have felt will suit the noble Lord as well as the Government, and I propose to give Notice for Monday that the Orders of the Day shall be postponed in order that the Notice of the noble Lord may come on first.

MR. FAWCETT said, that, in consequence of the Notice just given by the noble Lord (the Marquess of Hartington), he would withdraw the Notice which he himself had given of a Resolution on the same subject.

SIR EDWARD COLEBROOKE asked what Business would be brought on on Thursday?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, it was intended to proceed with Supply.

SOUTH AFRICA—THE TRANSVAAL REPUBLIC.—QUESTION.

MR. COURTNEY asked the Secretary of State for the Colonies, Whether he will lay upon the Table a Copy of the "separate minute" of Sir Theophilus Shepstone on "the relations of the Zulus with the South African or Transvaal Republic," referred to in paragraph 83 of the Report of the Expedition to install Cetywayo as King of the Zulus (1875, C—1, 137)?

SIR MICHAEL HICKS-BEACH, in reply, said, that Lord Carnarvon had already refused to permit the production of the "separate minute;" and that, having considered the subject, he felt bound to adhere to his Predecessor's decision.

MOTIONS.

LAND REGISTRATION.

MOTION FOR A SELECT COMMITTEE.

MR. OSBORNE MORGAN, in rising to call attention to the question of Land Registration, and to the working of the Acts of Parliament regulating the same, and to move for a Select Committee to inquire and report whether any and what steps ought to be taken to simplify and secure the title to land, and to facilitate the transfer thereof, said, he did not know that he should have brought the subject forward at a time like the present, when it was so difficult to get the House to take an interest in a domestic question, however important, but for two or three recent cases which had led many practical men to believe that investments on landed securities, so far from being, as people had formerly supposed, the safest investments a man could make, were about the most dangerous things with which he could meddle. The first case to which he would refer was that of the notorious Dimsdale, who had managed to raise £300,000 upon the security of property in which he had not a particle of interest. The second was that of an accountant, named Downs, who, in one sense, was more honest than Dimsdale; for he was actually the owner of the property which he purported to mortgage. He bought land for £1,500, and having done so, proceeded to mortgage it for £40,000 to 25 different sets of persons. His *modus operandi* was charmingly simple. He took a conveyance from the British Land Company, and, having obtained a *fac simile* of the seal of the Company, he proceeded to copy out the deed some 20 or 30 times over, and to stamp each deed with the seal of the Company, and then took it about to different persons, who, in each case, were induced to lend him money in the belief that they had the first charge upon the property. This went on for five years, and there was no reason why it should not have gone on for 50 years, if the borrower had not, by reason of unfortunate speculations on the Stock Exchange, been unable to meet the current interest, and so the bubble burst—and these 20 or 30 persons, on being confronted with each other, found that they had got a security which was not worth the paper on which it was written. Now, the defence set up by Downs was a very remarkable one, and one which he would commend to the attention of the Home Secretary. He pleaded that he was naturally an honest man, but that the law had made it so easy to borrow money upon other people's property, that he really could not resist the temptation. Now, it was obvious that the rudest system of registration would have prevented such a fraud as this. And he was really tired of hearing it said that they could not prevent fraud by Act of Parliament, and that there must always be a certain percentage of rascality in the world. His complaint against their system was, not that it did not prevent fraud—no law could do that —but that it acted as a direct premium upon fraud; indeed, it was not too much to say, that a man advancing money upon land in these days trusted rather to the respectability of the borrower, and the character of the solicitor than to the protection of the law. And yet the temptation to fraud was but a small part of the mischief of the present system, and the evils with which they had to deal. Indeed, the insecurity of their system was only equalled by its clumsiness. It might be true that 99 titles out of 100 were good, and that 999 owners of property out of 1,000 were honest men; but the worst of their system was, that while they let the one rogue slip through their fingers, they insisted upon treating the 999 honest men as if they were rogues. As a result of 16 years' experience as a conveyancer, he might go behind the scenes and tell purchasers of property what took place when they bought an estate. The first thing was to ask for an abstract of title which, though only a summary of the deeds, might run to 200 brief sheets or more. Then, the deeds, which were sometimes at a distance, had to be compared and the facts verified. When this was done, the abstract was usually laid before the purchaser's counsel, who looked at it very much in the way in which a veterinary surgeon looked at a horse—that was to say, with a view to pick as many holes in it as possible. Then followed a sort of fencing match between the solicitors of the vendor and purchaser, frequently assisted by counsel on both sides, which might take weeks, or even months; and, if the parties were reasonable, half the objections were waived and the other half answered, the title was accepted, the conveyance—sometimes of portentously great length—drawn, and the purchaser had handed to him a perfect mountain of parchment, which he was told were his title deeds. And, when all was done, probably the only thing in the transactions which he really understood was the lawyer's bill which he had to pay at the end of it. Well, but now, suppose the purchaser wanted to sell part of the property, or to borrow money upon it, exactly the same process had to be gone through over again. He could not do better than describe it in the words of the noble and learned Lord the present Lord Chancellor, when Sir Hugh Cairns—

> "You buy an estate at an auction, or you enter into a contract for the purchase of the estate. You are very anxious to get possession of the property you have bought, and the vendor is very anxious to get his money. But do you get possession of the property? On the contrary, you cannot get the estate, nor can the vendor get his money until after a long lapse—sometimes no inconsiderable portion of a man's lifetime—spent in the preparation of abstracts, in the comparison of deeds, in searches for incumbrances, in objections made to the title, in answers to those objections, in disputes which arise upon the answers, in endeavours to cure the defects. Not only months, but years, frequently pass in a history of that kind; and I should say that it is an uncommon thing in this country for a purchase of any magnitude to be completed—completed by possession and payment of the price—in a period under, at all events, twelve months."—[3 *Hansard*, clii. 280-1.]

Those observations were made 19 years ago, but they were substantially true now. No wonder that under these circumstances their lawyers had been endeavouring to establish that system of registration which existed in every country but their own; in fact, for the last 25 years, a perfect system of land registry had been a sort of philosopher's stone, which their legal alchemists had been trying, and trying in vain, to discover. The history of these attempts was a melancholy one; in fact, a more dismal history of failures it would be difficult to find. The first attempt dated as far back as 1833, when a Bill passed the House of Lords to compel the registrations of deeds. That Bill was referred to a Select Committee of the House of Commons—the only Select Committee, by the way, which had ever sat upon the subject—which recommended the appointment of a Royal Commission. That Commission, so appointed, made its Report in 1857, against the registration of deeds and in favour of the registration of titles, and a Bill founded upon its recommendations was introduced by Sir Hugh Cairns in 1859, as Solicitor General, in a masterly speech, from which he had already quoted, and in which he stated, on the authority of some of the most eminent valuers in the country, that a perfect land registry system would add three years' purchase to the value of all the land in the Kingdom. In consequence, however, of the resignation of the Ministry, that Bill was dropped, and the subject slept until 1862, when it was taken up by Lord Westbury; and, certainly, if faith in his own scheme entitled any man to success, Lord Westbury deserved to succeed. He introduced his measure in a characteristic speech, in which he stated that he had got hold of a plan which, like Aaron's rod, would swallow up all the other projects which had ever been brought forward; and he drew a picture of a great landowner walking about with the whole of his title deeds in his waistcoat pocket condensed to the dimensions of a visiting card. Unfortunately, his plan, though perfect in theory, proved hopelessly impracticable. It was a beautiful machine which would not work. Lord Westbury said, and he said no doubt truly, that all titles were either perfect or imperfect, and that he would make provision for registering both, and would call the one an indefeasible, and the other a defeasible title. Unfortunately, the cost of obtaining a perfect title was found to be so great that people refused to buy the gold at the price. On the other hand, people naturally shrank from proclaiming to the whole world that they possessed a title, the very name of which implied a doubt as to their right to hold it. In other words, they could not register perfect titles, and they would not register imperfect ones. The result was, that between the time when the Act came into operation in the year 1868, not more than 507 applications for registration under the Act had been made—that being about the number of titles which were accepted in England in the course of one day—and so, before the end of the year, Lord Westbury was called upon to preside over a Royal Commission to inquire into the causes of the failure of his own Act. That Commission was composed of three most distinguished Judges, of the Members for the Universities of London and Cambridge, Mr. Howes (the late Member for Norfolk), Sir Arthur Hobhouse, and Sir Henry Thring; Mr. Wolstenholme and Mr. Waley, two distinguished conveyancers; and Mr. Farrer and Mr. Young, two of the most eminent solicitors in London—an admirable Commission, except that, perhaps, it was somewhat too heavily weighted with lawyers. That Commission made its Report, or, rather, it made six different Reports, the principal Report being only entirely adopted by three of its Members. Well, in 1873, a Bill, founded on the lines of that Report, was introduced by Lord Selborne. It was drawn by one of the most distinguished real property lawyers in the country, Mr. (now Vice Chancellor Hall); and, being a daily witness of the great ability and industry of that very learned Judge, he felt exceedingly reluctant to criticize his handiwork. And he might say at once that, in two important respects, the Bill of 1873 was an immense improvement upon its predecessors. In the first place, it introduced a new kind of registration—that of possessory titles. Now, that was a new and most important starting point. He believed it was the key to a proper registration of titles, for until they took the apparent owner—that was, the owner in possession—and assumed that he was entitled to be put upon the register until somebody else could show that he had a better right, they would make no progress towards a proper system. But then, unfortunately, the Bill preserved the old system of registering indefeasible and defeasible titles under a new name. Now, he had always maintained that the business of a registry office was ministerial only—that it had nothing to do with investigation of title, properly so-called, which was a judicial and not a ministerial act—the business, in fact, of a Landed Estates Court, and not of a registry office. Indeed, if registration was to be preceded by anything like a judicial investigation of title, it would be perfectly impossible for any office, however large, to undertake it. Moreover, the very fact of keeping up these distinctions threw a slur upon what people would necessarily regard as an inferior kind of title, and accounted, in a great degree, for the disinclination to register such a title. The Bill of 1873 was also an enormous improvement upon its predecessors, in so far as, by indirect means, it made the registration of possessory titles compulsory. Now, it was no use mincing matters. Registration, in order to be general, must be compulsory. They could not coax people into adopting it. It involved a certain expenditure of trouble and money, however small, which people would not voluntarily undertake except in the comparatively rare case of purchasers who wished to re-sell. It was useless to tell people that those who came after them would be infinitely benefited by that small outlay of trouble and money. They would ask, like the Irishman—"Why should we do anything for posterity; posterity has done nothing for us?" Moreover, in his opinion, the possibility of making a system compulsory was a very fair test of its feasibility; for if the system were cheap and simple, what was the hardship of making it compulsory? whereas, if it were not cheap or simple that was a very good reason, not merely for not making it compulsory, but for rejecting it altogether. Now, unfortunately, the registration of possessory titles under the Bill of 1873, instead of being made perfectly simple, was beset by so many difficulties that when the Bill was re-introduced in 1874 by Lord Cairns, the country solicitors pointed out that the cost of even possessory registrations under it would be so great that it would practically put an end to all small purchases. Now, that, in itself, furnished a strong argument against the Bill. It was urged with some force that the Bill was intended to facilitate and cheapen purchases of land, and yet that it made those purchases so expensive that it would practically put an end to them altogether. Yielding to the pressure put upon him, the Lord Chancellor inserted a clause that the provisions as to compulsory registration should not apply to purchases under £300. That was tantamount to giving up compulsion altogether, for it was impossible to draw a hard-and-fast line at that sum; and, as might have been expected when the Bill was re-introduced in 1875, the compulsory clauses were entirely omitted. On that occasion, he (Mr. Osborne Morgan) moved a Resolution condemning the Bill on the grounds he had stated, but he met with but little support. The hon. Member for Chippenham (Mr. Goldney), with regard to it, said that—

> "He felt assured it would be proved to be one of the best modes of solving the difficulty in regard to the transfer of land."—[3 *Hansard*, ccxxiv. 1927.]

The hon. and learned Baronet the Member for Coventry (Sir Henry Jackson) said that, for one, he believed—

> "It contained much that was valuable, and that when it had been considered in Committee, and had received some Amendments, of which it was susceptible, it would be a valuable addition to the Statute Book."—[*Ibid.* 1930.]

Even the hon. Member for Peterborough (Mr. Whalley) said—

> "It would, he hoped, have the effect of restoring lawyers to that position of respectability to which they could not lay claim at present."—[*Ibid.* 1927.]

In fact, with the single exception of his lamented Friend the late Member for Reading (Sir Francis Goldsmid), who, in addition to his other great and varied accomplishments, enjoyed that of being one of the best real property lawyers in the House, he (Mr. Osborne Morgan) met with no support and was compelled to withdraw his Resolution. As he did so, however, he prophesied that the Bill, when passed, would be as great a failure as the Act of 1862. But what were the facts? Compared with the Act of 1875, the Act of 1862 was a brilliant success, for, under that Act, about 100 titles on an average had been registered every year; but, in the two years and a-quarter which had elapsed since the passing of the present Act, only 28 titles had been registered altogether, and the number was getting "small by degrees and beautifully less;" for, in the seven last months, only four titles had been registered—that was to say, one in every seven weeks, or about one in 24,000. It would be curious to know what each of those purchases cost the country. He could only say that he had passed the Office—which, it was fair to say, was presided over by two of the ablest real property lawyers who could be found—every day for the last 16 years, and he had never seen a single person either going into it, or coming out of it. Well, under these circumstances, they were driven to the humiliating admission that they had all along been proceeding upon a wrong tack, and that if they wished to succeed they would have to start afresh. A Greek Philosopher had once said that "the knowledge of our ignorance was the beginning of wisdom;" and in the same way, possibly, an acknowledgment of their failures might turn out to be the first step towards success. He had pointed out that the Commission of 1857 had recommended the registration of titles in preference to that of deeds. With what success, the House was now aware. In consequence, however, of the failure of these recommendations, there had been lately a strong re-action in favour of the registration of deeds. It had been pointed out that a registration of titles, if it pre-supposed anything like a judicial investigation, could never be carried out by one Office, however large; for in this country titles were counted by millions, and dealings with property by hundreds of thousands; and to demand of an Office in London that it should investigate, and, so to speak, report upon all these titles, would be like asking the officials of the General Post Office to read and examine all the letters that they sorted. On the other hand, it was proved by the experience of two of the most important counties in England—namely, Middlesex and Yorkshire—that a local registration of deeds was perfectly possible. It had been pointed out to him, also, by some of his Irish Friends, that in Ireland the two systems had been tried side by side, and that the registration of titles had proved a complete failure, and the registration of deeds a complete success. Now, he had made it his business to inquire into the opinions entertained by the Profession and the public, as to the working of the Middlesex and Yorkshire registries, and he was bound to say that he met with a singular divergence of opinion. On the one hand, it was said by his hon. Friend the Member for Maidstone (Sir Sydney Waterlow), and others, who had waited upon the Home Secretary the other day, that all that was wanted to prevent frauds like those of Dimsdale and Downs, was the extension of the Middlesex system to the whole country; and they pointed out, with some show of reason, that none of these frauds had been attempted in the "register" counties. On the other hand, he was informed by many solicitors that, while the registration of deeds added enormously to the responsibility of solicitors, it had increased, rather than lessened, the expense of conveyancing; and that the Middlesex registry, in particular, was the *bête noire* of solicitors, who frequently protected themselves by special contract with their clients against liability arising from it. To a great extent, he believed that its unpopularity was caused by the confused state of the index, which referred to names and not to property, and which made an examination for the deeds relating to any particular property very much like looking for a needle in a bundle of hay. Indeed, the whole machinery of the registry was of the most primitive description, and it was scarcely to be wondered at considering the fact that it was established some 170 years ago. No doubt, all this might be greatly improved, and, upon the whole, he had come to the conclusion that the question whether a registration of deeds was preferable to a registration of titles depended upon what they wanted. If they wanted security and protection against fraud, then, no doubt, registration of deeds would give them that protection, except, of course, in the case of personation; if, on the other hand, they wanted simplicity and economy, he was afraid it would not be so. He could understand, indeed, a system of deed registration, such as that which prevailed in America, being both simple and cheap; but, then, for that purpose, they ought only to admit upon the register simple transfers of property, and make those transfers as short as possible. Titles in England were more complicated, and solicitors in England were paid in proportion to the length of their deeds, and he had often been told that if lawyers were compelled to draw short deeds, their charges would not repay a tithe of their labours. But the system was, nevertheless, a vicious one. It was like going to a doctor and offering to pay him in proportion to the length of time he could keep you ill. Now, why should not an *ad valorem* scale of payment be adopted? It had been adopted with marvellously good results by some of the land companies. Why should not solicitors be paid, to a certain extent at least, in the same way as stock brokers? They were, in fact, land brokers. That brought him to a question which he had often heard asked—why should not land be transferred in exactly the same way as stock? He had often been told that £1,000 of stock might be transferred in a few minutes, at the expense of a little more than £1; while a few acres of land might take months, and cost hundreds of pounds to convey. Well, now, there were two reasons arising from the nature of the subject-matter, which made it impossible entirely to assimilate the transfer of land and stock. In the first place, stock was a debt, and when a man took a transfer of it, he got a contract from the debtor—that was, the Bank of England—securing him the amount transferred. In the next place, stock was an abstract thing; land was a concrete thing. Any £1 worth of stock was as good as another, but one acre of land was by no means the same as another. If he instructed his broker to buy him £100 of Consols, he could feel perfectly sure that he had got the thing which he wished to buy; but he could not feel the same certainty if he instructed his solicitor to bid for Blackacre or Whiteacre. It was the difficulty of identifying land, which caused nine-tenths of the difficulties with which they had to grapple. Now, there was one way, and one way only, in which they could remove that difficulty, and that was by having a perfect map. Fortunately, they had such a map in the Cadastral Survey which had lately been made over a great part of England. Not long ago, he put a Question to the First Commissioner of Works on the subject, and he was rejoiced to hear that, as regarded 30 of the counties of England and Wales, that Survey had been completed; but, to his disappointment, he also heard that it would still take 18 years to complete it as to the remaining 22. He a was sure that they could never have a perfect system of land registration without such a map. The map was to the registry what the compass was to the ship. His proposal would be, that there should be kept in the office of every clerk of the peace for each county, or some other official, a map of the whole of the property in the district, which would thus become a sort of pictorial representation of all the land in the Kingdom. In that case, he did not see why land should not be as easy of identification as a ship. It was said that the aspect and character of the property changed from day to day. His own experience as a conveyancer led him to believe that, except in the neighbourhood of large towns, the changes in the character of property were by no means so great as was commonly supposed; but, in any case, would there be any great hardship in compelling a man who threw two fields into one, or who built a house upon his property, to have that fact recorded upon the map; or, if that was thought inexpedient, might not the official in charge of the map be required to investigate and record the change? But then, it was said that land might be settled and tied up, and stock could not. Now, that was a layman's fallacy. The fact was that stock could be and was settled every day as stringently as land—the only difference being that the Bank of England did not recognize the trust, and treated the trustee as the person entitled to transfer; nor did it follow that because an estate was entailed, it was therefore unsaleable. Why, nine-tenths, or more, of the settled lands in England were vested in trustees who had the right to sell it, usually with the consent of the tenant for life, if of full age, or, if there were no such tenant for life, at their own discretion. Now, his proposal was, that every acre of land in England should be vested in some person who had the right to sell it, not necessarily the beneficial owner, but, as in the case of stock, the fiduciary owner, or, as the case might be, the mortgagee. Starting with this, he would wish to see nothing recorded upon the register but this right of sale or transfer, the right to which might be asserted by a short affidavit of the claimant proving the exercise of rights of ownership for a limited period, or the last instrument of transfer or devolution as the case might be, the equitable owners being left to protect themselves by something in the shape of a *distringas* or *caveat*. If this plan were once adopted, it would be a matter of comparative indifference whether they adopted the plan of registering deeds or the plan of registering titles; because, in the latter case, the deed, as in the United States of America, to which he had already referred, would really constitute the title. Now, he had made this proposal with some trepidation, because he was afraid that hon. Gentlemen opposite would regard it as radical and revolutionary; but, as a matter of fact, it had been recommended by Mr. Spencer Follett, a Conservative lawyer, the head of the Land Registry Office, who, in his evidence before the late Royal Commission, said—

> "In every well-drawn settlement there is a power of sale overriding all the estates, to be exercised with certain consent, and registering the estates in the name of the trustees of the power would give them no more power than they had already. My theory is that the purchaser should have nothing to do with the title of the vendor. He might go to the vendor and say—'Sell me the estate and I will give you so

much for it when you convey it. I do not care what your title is, if you can sell it to me I will buy it.'"

The same view was taken by an eminent London solicitor, Mr. William Ford, who, in his evidence, said—

> "In my opinion, no real advantage will accrue to the public till land is treated like Government Stock, and is capable of being transferred by trustees, without regard to equitable interests, or interests less than the absolute ownership. The registered owners of land should be able to sell it. All equitable interests, or interests less than the fee simple, should be regulated by separate declarations of trusts which should be kept of the register. Such a system would be simple, easily worked, conciliate the favour of the public and profession, and be a real boon to every owner of land. I should always advise my clients to make use of such a registry. The apprehension that trustees would sell estates of their *cestui que* trust behind their backs is a chimera. Most of the large estates in England are vested in trustees or mortgagees, who have power to sell without the consent, or even in spite of the dissent, of the owners."

These were his own views, but he did not wish to prejudge the question in any way, nor did he desire to express any final opinion upon the comparative advantages of deed and title registration. In fact, he had not come down to the House with any cut-and-dried projects. But it had occurred to him, and it had occurred to others, that if this matter, instead of being relegated to a Royal Commission of distinguished Judges and conveyancers, were referred to a Select Committee of that House, composed not only of lawyers, but of landed proprietors and business men—men who knew what they wanted, and only required to be told how to do it—they might arrive at something like a satisfactory settlement. He knew, of course, the epithet which was in store for those who rushed in "where angels feared to tread," and it might be thought the height of presumption that a private Member of the House should attempt the task which three of their most distinguished Lord Chancellors had attempted and failed to accomplish. Still, the evil was so crying, the benefits to be obtained so incalculable, that he thought the experiment worth trying. He had heard, indeed, within the last two or three days, that there was some chance of the Government taking the matter up. In that case, he should, of course, be only too glad to stand aside, and let them try their hand again, for the subject was obviously one more proper to be dealt with by the Government than by a private Member. At the same time, he must warn his hon. and learned Friend the Attorney General, that if he proceeded upon the lines of past legislation, he would be only adding another to that long and dreary list of failures which he had already enumerated. The hon. and learned Member concluded by moving the Resolution.

MR. GREGORY, in seconding the Resolution, said, that he did so with much pleasure. Taken as a body, it was a fallacy to suppose that the members of his Profession were opposed to a plan like that proposed by his hon. and learned Friend the Member for Denbighshire (Mr. Osborne Morgan) with regard to the transfer of land. A strong motive, which actuated him in wishing for reforms was the very grave responsibility which rested upon solicitors under the present system of land transfers. Solicitors were, in fact, the guarantors of title. A solicitor who made an abstract of title-deeds was bound to supply the purchaser with a full disclosure of the title. If he did not, he might be struck off the Rolls. And if the solicitor of the purchaser failed to point out any defect in the title arising on the examination of such abstract, he became personally responsible. Although he did not agree with the whole of the scheme propounded by his hon. and learned Friend, yet, in his opinion, the time was come for the investigation of the subject before a Committee of the House. He, therefore, thought his hon. and learned Friend had been very wise in the course he had taken; and he hoped that the Committee, if granted, would have the assistance of some gentleman from Scotland, who would give the Committee an account of the system in Scotland, the way in which it worked, and the expense incurred by it. He confessed that there were many other points he should like to see the Committee take under their consideration, which appeared to him to unnecessarily hamper the transfer of land in the country. For instance, there were the tenures in gavel-kind and Borough English which were antiquated and exceptional, and gave rise to much difficulty and confusion. He thought, however, that something would be effected by a general registration of deeds; but if they had registration of deeds, they must give local facilities for carrying it out. They had district registries for the grant of probates of wills, and there was little difference between a registration of deeds and a registration of the probate of wills.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire and report whether any and what steps ought to be taken to simplify and secure the title of land and to facilitate the transfer thereof."—(*Mr. Osborne Morgan.*)

MR. RATHBONE supported the Motion, believing that the question of land registration was one of the most important waiting solution in the interest of the welfare and prosperity of the country. It was of the greatest concern to the owners of property as well as to the working man that the transfer of land should be made simple and easy, so that a much larger number of persons than at present might have an interest in it. It should not be forgotten how great was the temptation where democracy prevailed to levy heavy taxation on landowners, and if any such feeling should manifest itself as had been shown in America, he fancied the proprietors in this country would wish very much that the land had been more sub-divided. It was equally in the interest of the working man that the transfer of land should be made as cheap as possible, and there was, he thought, no greater inducement to frugality, and no better investment for their savings, than enabling such men to become the owners of the houses in which they lived, which, however, they but rarely could so long as the expenses of transfer were so great as they now were. It was urged in favour of the continuance of the present system that under it land was so safe an investment. He, however, had been told by legal friends, who were in a position to speak with authority, that they had known more cases of land being in wrong hands than of personal property. He believed it was not the lawyers who objected to an increase in the facilities for the transfer of land.

SIR WALTER B. BARTTELOT said, he quite agreed with the last speaker that it was of the greatest importance to the owners of property that there should be an easy and simple mode of transferring land. No one who had anything to do with the purchase of it could fail to be aware not only of the cost, but the difficulty, of getting a really good title. He could not, however, concur with the hon. and learned Member for Denbighshire (Mr. Osborne Morgan), when he said that it took a year to transfer land from one person to another. [Mr. OSBORNE MORGAN: It was Lord Cairns who said that.] Be that as it might, the transfer certainly took a considerable time, occupying, as it did at present, three months on the average; and it was extremely desirable that that time should as far as possible be shortened. He would further observe that, unless a man was prepared to pay absolutely for the land which he wanted to purchase, that land was, in reality, a great snare to him. The hon. and learned Member for Denbighshire made, he might add, an observation with regard to the Survey which was going on throughout the country, to which he attached great weight. He had now got a map on which the pasture and arable land was marked out, and in which every cottage and almost every tree was set down, so that the property could be identified in a moment. Now, maps of that kind for the whole country would, in his opinion, be of inestimable value, whether for strategical, commercial, or social purposes; and he would urge the House to impress upon the Government the expediency of finishing at once a Survey which, at the pace at which it was now being carried on, it would take 18 years to complete. If the Committee asked for were granted, he hoped the hon. and learned Member for Denbighshire and the hon. Member for East Sussex (Mr. Gregory) would undertake to get together a Committee of lawyers who would agree not to pull all the titles to pieces. He should rejoice as heartily as the hon. and learned Gentleman opposite if some step could be taken in the direction which he had pointed out. It was apparent to everyone that the transfer of land was one of those matters which ought to be dealt with. Hon. Members, however, knew the difficulties with which the question was surrounded, and the man who could show them how to overcome those difficulties would render an inestimable service to the country.

SIR HENRY JACKSON hoped the hon. and learned Gentleman, on the part of the Government, would agree to the appointment of a Select Committee on this important subject. There was a rumour that the Government were about to bring in a Bill dealing with the question on their own responsibility; but he thought the matter had now reached a stage when it might well be made the subject of further inquiry by a Committee of the House, as that would be the best means of throwing fresh light upon it. Several attempts had been made, first by Lord Westbury and afterwards by the present Lord Chancellor, whose Bill was, in the main, identical with one prepared by Lord Selborne, though differing from it in detail. All had proved failures, as he and his hon. Friend the Member for East Sussex (Mr. Gregory) had predicted during its passage through that House. Lawyers felt it was of pressing importance that the difficulties which had hitherto attached to the transfer of land should, as far as possible, be removed. That difficulties existed could not be disputed; but he denied that the lawyers, as a Profession, had deliberately thrown obstacles in the way of the settlement of the question. Solicitors were, however, in this position—if a title proved bad, they were in peril of being personally responsible for the consequences; and it was this liability which rendered them somewhat pedantic in investigating titles. If that liability were removed or diminished, the hearty concurrence of the solicitors would be secured. Every lawyer had his own nostrum for the cure of this disease. He rejoiced to find that recently there had been a great advance of public opinion in favour of a Cadastral Map. He considered this a first necessity, without which no really advantageous step could be taken. Another absolute necessity was the constitution of some person as registered owner, with full power of disposition as regarded purchasers and mortgagees. That principle was to be found in the present Act, and it could not be too highly valued. In his judgment, the Government would not cure the evil by establishing additional registration of deeds; for experience showed that in Middlesex, where a registry existed, nobody could rely on it as a protection, as solicitors would not undertake to make an adequate search, so as to guarantee their clients against every deed which might be registered. What was really wanted was a registration of titles, as in the case of a shop or ship. Such a thing was perfectly possible, although it would take some years and considerable outlay to carry out. Its essential condition was that the register should refer, not to deeds and names, but to the land in regard to which a title was being sought. First of all, there must be a Cadastral Map, on the face of which every plot of land should be so identified by a number that an intending purchaser, by referring to the same number in the register, might ascertain the ownership of the land in question. Looking at the general interest which was taken in the matter—seeing that it had passed out of the domain of legal technicality into the domain of social and political economy—he believed that better results would attend the appointment of a Select Committee at the present time than would have been the case at any previous period. The objects to be aimed at were, of course, facility of transfer and safety of title. The latter was not so much a necessity as the former; for, as a rule, titles were particularly safe. The recent frauds had been in reference to leaseholds, which were often held six or seven leases deep, and afforded facilities for frauds. This kind of holding was exceptional, being mostly in the metropolitan counties; but if the alarm which had been occasioned should result in the amendment of the law, there would be some ground for consolation.

Mr. ALFRED MARTEN, while supporting the Motion for the Committee, pointed out that one central registry would by no means meet the necessity of the case. The Dimsdale frauds had been committed with respect to property in Surrey, where there was no register; the Middlesex part of the property had been protected by the register. The great interest excited by those frauds, even if there were no other ground, was in itself sufficient reason for asking for a Committee. In order to show that the House was alive to this view of the case, he would suggest that the Motion should state, among other reasons for appointing a Committee, the necessity of preventing frauds on purchasers or mortgagees. With regard to titles, he did not think that any measure for their compulsory registration throughout the country would ever pass through Parliament. It would, he believed, give rise to great inconvenience, especially in small transactions. If compulsion were to be adopted at all, he believed the House would not extend it beyond the registration of deeds. As for the Cadastral Map, which found favour in the eyes of the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot), how long would it be of service? It would be obsolete in a year; as, through the circumstances continually changing, the position, limit, and particulars of property could not hold good for any length of time.

Mr. SHAW LEFEVRE wished to join in pressing on the hon. and learned Gentleman the Attorney General to grant this Committee. The importance of this question had been brought prominently under his notice while sitting during the last two Sessions of Parliament on the Committee on the Bright clauses of the Irish Land Act, the evidence taken before it showing clearly the difficulty of dealing with small properties in Ireland, the average cost of transferring landed properties in that country worth less than £200 being 15, 20, and sometimes even 25 per cent on their value. That amounted to an almost absolute prohibition of the transfer of such properties. The question of registration had been solved in almost every other country in Europe, and especially in Belgium, Germany, and Denmark. He could see no reason why it would not be possible in this country. There were three things necessary to make registration successful. The first thing was a complete Cadastral Survey; and he hoped the time for the completion of the Cadastral Survey would be shortened. It was worthy of consideration that the Cadastral Survey of Ireland was completed, and that in that country it would be possible to carry out a thoroughly complete system of registration. He hoped, therefore, the Committee would extend its inquiries to Ireland, and not confine them to England; and that they would consider whether registration could be introduced in districts where the Survey was finished. The next thing necessary was local registration. Thirdly, there must be someone in a position to give a full and complete title to property. With these three conditions, registration would be an easy matter. It would very much simplify and cheapen the transfer of houses and lands, and would confer a great benefit on the people of this country.

Sir GEORGE BOWYER said, that much of the difficulty which beset this subject had arisen from the confusion of two subjects which were really distinct and separate—the law of title and the law of registration; and from the doctrine, which existed in England alone, of the distinction between the legal and equitable estate. The registration of a title did not make the title a bit better than it was before; and, until they had a simple system of title, it was impossible to have an effective system of registration. All Continental countries had a system of registration; but then, as the Commissioners remarked in their Report, in those countries, the law in respect of real property was not so complicated as it was here, and there was in those countries, practically, no difference between real and personal property in regard to its disposal, for there was no distinction between legal and equitable estates. It was manifest that registration merely would not cure the defects in their system of the transfer of land; and, therefore, if they desired to facilitate the sale of land, they must not look to registration but to a reform of their system of title. And they must get rid of the complicated system of trustees which was unknown in any other country. They must go back to the statute of uses, and carry that statute into effect by getting rid of the distinction between legal and equitable estates, and thus obtaining unity of title. That was the policy of the Roman Law, which did not allow the usufruct to be separated from the dominion beyond the life of the usufructuary. When unity of title had been obtained, an acre of land would be as easily bought or sold as a horse or an ox. For the same purpose a system of hypothecation should be introduced, instead of a conveyance of the land, subject to an equity of redemption. He came now to the subject of registration. There were three kinds of registration—registration of deeds, registration of title, and registration of land. His hon. Friend opposite (Mr. Gregory) had condemned a system of registration of deeds. He (Sir George Bowyer) differed from his hon. Friend; and Mr. Joshua Williams—whose authority on the subject his hon. Friend would admit—had recently published a letter in which he expressed his opinion that a system of registration of deeds was the best of the three systems. The system of registration of title was both complicated and costly. Before they registered their title they must establish their title. In the first instance, a solicitor had to prepare the title for registration—a long and expensive process—they then had to take the title before the registrar; and the registrar had to investigate the title over again; and in this way a variety of questions arose, which necessarily led to doubts about the title itself, and a great expense. The landowners were not likely to adopt a system, which, besides raising unnecessarily doubts in regard to their title, exposed them to a publicity which few prudent men would willingly incur. The system of registration had already been tried and had proved a conspicuous failure. There was in Lincoln's Inn Fields an Office for the Registration of Titles, but no one even went there. Then as to the registration of land. They were told that there was to be an accurate survey of the land for the purposes of registration. Such a plan might work very well in a new country like a Colony, where they could divide the land in square plots and map them to scale, and where the natural boundaries were few and undefined. These plots might be transferred from hand to hand with great facility. But in this country it would be impossible to adopt such a survey as would be of any use 30 years hence, so rapidly and so completely did the conditions of the land change. The registration of deeds in Middlesex, he believed, had been found to be very useful, so far as it went; but its utility had been considerably impaired by the judgment of Lord Hardwicke, in the case of Leneve *v.* Leneve, 1 *Vesy*, 64, that though by the Register Acts a registered deed was to be preferred to an unregistered one of a prior date, yet that, if a subsequent purchaser by the registered deed had notice of the unregistered deed, he could not derive benefit from his registration. The registration of deeds was the only practicable registration, and would be found more simple and certain and far less costly than a registration either of title or of land.

Mr. D. DAVIES said, he had purchased large quantities of land under compulsion for railway companies, and he was consequently acquainted with the difficulties of getting up titles. He had, he might add, bought several lots of land over 14 or 15 years ago, which had never yet been conveyed. He had also purchased more than once about half-an-acre of land for £50 or £60, the expenses of conveying which had been over £150. In these cases some five or six lawyers were generally engaged—he had no fault to find with the lawyers—they were, on the whole, a very respectable body of men—and the result was that the cost was swelled up to the amount which he had mentioned. There was, he might add, no comparison to be drawn as to the conveyance of land between this country and America. America was a new country, and there was no difficulty about titles; but even here, when a railway company had made out a title, land could be conveyed as cheaply as in America. He might further state that, having bought several properties, he could convey half-an-acre of land to a working man for building purposes for a sum of 10*s*. The great difficulty in the matter seemed to him to be the making out the first title. He concurred in the view that something was required to be done to make the transfer of land more cheap, especially in the case of small lots; but the question was surrounded by difficulties. Any system of registration unless made compulsory would be inoperative, and yet a compulsory system would inflict on many persons considerable hardship.

The ATTORNEY GENERAL (Sir John Holker) said, that having listened to the debate attentively, he was himself strongly in favour of the appointment of a Committee. There appeared to be a general concurrence of opinion in the House on that point, partly, perhaps, bceause of the fact that every hon. Member had his own nostrum, which he considered best fitted to remedy the evil that existed. He did not believe in many of those remedies; but, as there was a strong feeling in the House in favour of an inquiry on the subject, and of the appointment of a Select Committee, he would not, on the part of the Government, object to such a Committee being appointed. This matter really and truly divided itself into two branches—the question of the registration of deeds, and the question of the registration of titles—and he fancied that the debate had been brought about, to a considerable extent, in consequence of the alarm which had been raised in the minds of many persons by reason of the enormous frauds which had recently been perpetrated. Building societies had naturally become alarmed, and all persons who were in the habit of lending money on security in connection with land had also become alarmed, notwithstanding the fact that the perpetrators of these recent frauds had been brought to justice. He knew there was an exceedingly strong feeling outside the House that a registration of deeds, such as existed in Middlesex and Yorkshire, would cure the evil, and prevent the perpetration of such frauds for the future. He dared say it would, to a certain extent. He had no doubt that if there had been such a registration of deeds, where the property which was conveyed by Dimsdale or his confederates existed, he would not have been able to commit his frauds. But it was very difficult to legislate in order to check the perpetration of fraud. It was difficult, when people resorted to gross frauds and forgeries, to prevent those frauds and forgeries from being effectual; and if Dimsdale and his confederates had not been able to carry out the frauds which they did execute, it was quite possible that they would have invented some other contrivance for deceiving the public, and getting hold of property which did not belong to them. But those who asked for a registration of deeds to be established over the whole country, must remember that what they were asking for was a compulsory registration of deeds; for, unless it was compulsory, it would be quite idle, and would be of no efficacy whatever. Well, then, the grave question arose—would the benefits which they would get from such compulsory registration overweigh the evils which would flow from it? That, however, was not a matter upon which he pretended to give an opinion; but it was a matter which had been investigated by a Royal Commission, and that Royal Commission, which was composed of men of the greatest possible experience and eminence, came to the conclusion that the registration of deeds was anything but a good thing; that it was to be deprecated in consequence of the expense, which pressed heavily in the case of small transactions, and in consequence of the necessary exposure of private concerns, and the paralysis which would be caused in connection with the dealings with the banks and individuals on the deposit of deeds. In short, the Commission arrived at the conclusion that the compulsory registration of deeds was not desirable, and that, instead of being a benefit, it would be a detriment to the community. Their Report concluded as follows:—

> "On this subject we have thought it necessary to examine only three witnesses. All agree in saying that the Registry causes a great increase of trouble and expense, affords no additional security or other special advantage, and ought not to be continued. We entirely concur in this opinion, and recommend that, from as early a date as possible, the Registry (*i.e.*, the Middlesex Registry) should be closed as regards the deeds executed after that date."

He did not himself think it a desirable thing to institute compulsory registration of deeds in order to prevent those frauds. It was much more important to consider whether they could not have a good registration of titles. Perhaps it would be an advantage if a man could invest his savings in real property more cheaply and easily than he could do at present; but he never could understand how it was essential to the happiness of a working man that he should possess an acre or half-an-acre of land. He admitted fully that a good system of registration of titles, even taking the law as it stood, would to a very considerable extent facilitate and cheapen the transfer of property, and be, on the whole, beneficial to lawyers; but how were they to bring about this system? There had been a great many attempts to bring it about—Commission after Commission, Committee after Committee, Bill after Bill, Act after Act had been passed; yet these Statutes had all been ineffectual. How could they make them effectual? Only by making the registration of titles compulsory. This would be excessively vexatious and annoying—would the benefit be worth the sacrifice? Of this he was quite certain—there would be great opposition in the country to any proposal of that sort. If a compulsory registration of titles were established, every man who had any defect in his title would be compelled to disclose it—he could not raise money on his property without telling the whole world that his title was defective; and such a proposal would be resisted to the last extremity. But if it were necessary for the benefit of the community that such a measure should be introduced, the public interest, no doubt, must prevail; but he was not prepared to say that the time had arrived for that yet. Reference had been made to the law of other countries, and that law had been contrasted with the law of England; but were they prepared to do away in England with all settlements of real property, and alter the law as suggested by the hon. Member for Reading (Mr. Shaw Lefevre)? He was not prepared to go to that extent. If any reasonable plan could be provided for curing existing defects, he would be glad to support it; and, with regard more immediately to the subject before the House, all he could say was, that he felt quite convinced, after the feeling which had been manifested by the House, that a Committee ought to be appointed. He would, therefore, agree to the Motion.

MR. OSBORNE MORGAN, in reply, said, he must be allowed to express his thanks for the manner in which his Motion had been received, and hoped that one result of the debate which had taken place would be a more rapid progress in the manner in which the Survey was being carried on. He was quite willing to add to his Motion the words suggested by the hon. and learned Member for Cambridge (Mr. Marten)—namely, "and also to prevent frauds on purchasers and mortgagees of land."

Motion by leave, *withdrawn.*

Select Committee *appointed,* "to inquire and report whether any and what steps ought to be taken to simplify the title to land, and to facilitate the transfer thereof, and to prevent frauds on purchasers and mortgagees of land."

And, on May 22, Committee *nominated* as follows:—Mr. WALPOLE, Mr. LOWE, Mr. ATTORNEY GENERAL, The LORD ADVOCATE, Mr. GREGORY, Sir HENRY JACKSON, Sir JOHN KENNAWAY, Mr. SHAW LEFEVRE, Mr. CHARLES LEWIS, Mr. ALFRED MARTEN, Mr. PATRICK MARTIN, The O'CONOR DON, Mr. RYDER, Mr. WALTER, Sir SYDNEY WATERLOW, Mr. PERCY WYNDHAM, and Mr. OSBORNE MORGAN:—Power to send for persons, papers, and records; Five to be the quorum.

JUDICIAL APPOINTMENTS.

RESOLUTION.

SIR HENRY JAMES, in rising to call attention to the mode of election of certain Judges having extensive criminal jurisdiction, and to move—

> "That, in the opinion of this House, it is inexpedient that indictable offences should be tried before Judges elected by any representative body,"

said, he wished to avoid any misunderstanding, as he feared there were some who supposed that the Motion was brought forward to question the competency of some gentlemen who had been elected to judicial offices, or to curtail the privileges of the City of London; but his only object was to point out that there was an anomaly with regard to the election of certain Judges, and that the system pursued did not afford due safeguards for the administration of criminal justice. He would not conceal from the House that the anomaly to which he referred was entirely connected with the City of London. The nomination and selection of Justices for criminal jurisdiction rested of course with the Crown; but, in one instance alone, that principle was departed from, and virtually and substantially the Commonalty of the City of London had the power of appointment. The House was, of course, aware, that in the City of London a power existed of electing three Judges—first, the Recorder, who was elected by the Court of Aldermen; then, the Common Serjeant and the Judge of the Sheriffs' Court, who were elected by the Common Council. All of them were criminal Judges, exercising a most important criminal jurisdiction, and by degrees their power and duties had been extended, until it reached what it now was. Now, what was the exact position of these Judges? It had been supposed that those who objected to this principle of election thought that these Judges sat by the direct effect of their being elected. Substantially, they did sit by virtue of their election. No doubt, they sat by virtue of the Commission issued by the Crown; but the moment the Recorder, Common Serjeant, or Judge of the Small Debts' Court was elected by the constituent body, the Crown lost all power over the position of that officer. That power was conferred by Statute, and it was not against the customs of the City of London that his Motion was directed, but against that statute, and against legislative interference with the Prerogative of the Crown. A Statute was passed in 1834, which constituted the Central Criminal Court. Up to that time the Court bore the name of the Old Bailey, and had jurisdiction over the City of London and the county of Middlesex in criminal cases. But, in 1834, by the Bill introduced by the then Lord Chancellor (Lord Brougham), it was thought advisable to extend the jurisdiction of the elected

Judges to the most populous parts of Essex, Kent, and Surrey, and the result was, that the jurisdiction of these Judges extended, he believed, over nearly 7,000,000 of people. Before the passing of the Act of 1834, the position of these Judges, he understood, to be this—from ancient times the Recorder of the City of London, who had been elected, in the first instance, as legal adviser to the Court of Aldermen, was made Justice of Oyer and Terminer by Charter. But the Common Serjeant had no position other than that which the Crown's own will chose to confer upon him. He was, no doubt, Attorney General to the Common Council, informations were laid in his name, and he occupied the position of legal adviser to the Common Council in the same way as the Recorder to the Court of Aldermen. The Crown, therefore, whenever it thought right, for convenience sake, did place the Common Serjeant in the Commission of Oyer and Terminer, and sometimes he was found in the Commission, and sometimes not. Then came the Act of 1834. By the 1st section of that Act, it was enacted that in the Commission issued for the trial of prisoners at the Central Criminal Court, among the persons named, the Recorder, Common Serjeant, and Judge of the Sheriffs' Court, should be included. The effect, therefore, was, that as soon as the Court of Aldermen and the Common Council chose to elect their Judges, they did, by this Statute, become Judges of the Central Criminal Court, and the Crown was bound to have their names in the Commission, however unfitted by illness, or age, or infirmity, they might be for the performance of their duties. The Crown, therefore, after that Statute was passed, gave up the exercise of its optional right, and handed over to the Court of Aldermen and the Court of Common Council the power to determine who should be Judges of the Central Criminal Court. Therefore, in the case of a person becoming unfit from age, or otherwise, the Crown had no power to remove him. The first proposition he had to submit to the House was, that these Judges fulfilled very high judicial functions, and that this mode of appointment was anomalous. Under the Act their judicial functions were confined to the graver and more important cases, the minor ones, as a rule, not going before them, being sent to the Quarter Sessions of Middlesex and the different home counties. The Court had also power to try all offences committed on the High Seas. It now was empowered likewise to try cases which were sent to it, specially on the ground that they would not be tried fairly in other counties; and, in fact, it had become the Central Criminal Court of the country in every respect. In the two years preceding the 1st of May, 1878, no fewer than 2,077 prisoners were tried at the Central Criminal Court for offences, including the gravest the law knew of. Of these, 626 were tried before the Common Serjeant, 597 before the Recorder, 570 before the Judge of the Sheriffs' Court, and 284 before the Judges from the Superior Courts at Westminster. So that the elected Judges tried 1,793 prisoners, as against 284 tried by the Judges from Westminster. Of the 626 tried by the Common Serjeant, 498 were convicted, and sentences of penal servitude, amounting, in the aggregate, to 784 years, were passed by him. Of the 597 tried by the Recorder, 477 were convicted, and the sentences of penal servitude amounted, in the whole, to 676 years. Of the 570 prisoners tried by the Judge of the Sheriffs' Court, 389 only were convicted, and yet he passed sentences of penal servitude amounting altogether to 1,084 years. So that the elected Judges passed sentences of penal servitude which, in the aggregate, amounted to 2,544 years. He might mention that one-fourth of the whole of the prisoners in England and Wales were tried at that Court, and he knew of no duties that had to be so carefully performed as those of these Judges. What, then, were the safeguards that ought to be employed in order to see that these Judges were fully fitted for the performance of such duties? Surely, in the selection of the Judges of such a Court, there should be the calmest and gravest consideration, and the selection should be made by men possessing a knowledge of what was required; not only should a knowledge of the candidates be brought to bear, but every care should be taken that no influences should be allowed to affect the judgment of those who had to make the selection. There was a time, no doubt, when lay Judges administered justice in this country, and administered it in the most insufficient manner; but two of the great privileges obtained by

Magna Charta were—first, that Judges should be sent from Westminster to administer the Assizes in every county; and, secondly, that no one should assist them except the Knights of the Shire. In a later clause of the Charter, there was an express provision that no Coroner, Sheriff, or Bailiff should administer Pleas of the Crown. The meaning of this, of course, was that Pleas of the Crown should not be administered by elected Judges, and that the Crown should retain in its own hands the power of selecting them. The only exception in this country to the principle then established seemed to be the office of Coroner; but the Government seemed to think the present mode of electing Coroners was objectionable, as they proposed, by a Bill introduced this Session, to take the power of election from the freeholders generally, and to vest it partly in the magistrates and partly in the elective body about to be established. The Middlesex magistrates, who had some experience, were not allowed to select the Chairman who had to try the prisoners; and he would ask, if they denied the elective principle in such a case, where minor causes only had to be tried, why they should allow it to persons who had had no training whatever fitting them for the duty of election? He did not wish to say anything disrespectful of the Aldermen of the City of London, for he had no doubt they performed their duties faithfully; but it was no disparagement to them to remark that, as most of them followed commercial pursuits, they did not possess an experience of law and the administration of justice that would enable them to determine properly the qualities required in a Judge. They did not come into contact with those from whom they had to select. The result was, either that the selection had to be made in total ignorance of the qualifications of the candidates, or that that must take place which was a greater evil—the candidates for the appointments must descend into the arena of an election contest and canvass from house to house; they must vaunt their own capabilities over those of their opponents, or resort to that most insufficient mode of sending round testimonials, which sprang often from private friendship. Could they believe that a man who would be the fittest man—a great lawyer, occupying a high position at the Bar, trained with the feeling that the Bench must be pure from the slightest suspicion—could they believe that such a man would enter into the arena of a contest in which he must make an assiduous canvass for votes, and must ask for judicial honour and monetary payment—must say that he was better than his opponent? Would the House believe he would do that in order to obtain the appointment which, in other circumstances he would desire, and the duties of which he was eminently fitted to discharge? It was most important that the holder of a judicial office should be beyond suspicion, and that was almost impossible in a case where his appointment was the result of a popular election. To his mind, the highest judicial honour that could be conferred on any man would be dear at the price that would have to be paid for it. The very fact of this canvass being necessary would drive from the contest a man who was conscious of his merit; whereas a man who was not so sensitive would succeed in obtaining the office. Some hon. Gentlemen who sat on his side of the House might carry their Liberal proclivities so far as to say that all the Judges should be elected—[Mr. BIGGAR: Hear, hear!]—but would the hon. Member for Cavan consent to such a system if there were no check in reserve? It was perfectly true that in some instances the office of Common Serjeant had been conferred without the practice of canvassing having been resorted to—as in the case of Lord Denman; but, even then, the fact was due to political reasons, and was not in every case the result of personal fitness for the office in the gentleman selected to fill it. No one, he thought, could doubt that the practice of electing Judges, which was followed in the City of London, must result in detriment to the public service and a gradual degradation of the Judicial Bench. Another, and, to his mind, one of the strongest grounds of objection to this mode of appointment, was that the Court of Aldermen sought to elect as their legal adviser not only a man to give them legal advice, but to be of assistance to the Corporation, not merely upon the Judicial Bench, but elsewhere; and hence it gave the Corporation of London power to get two paid Representatives in Parliament by electing as Recorder and Common Serjeant two lawyers who happened to be Members of the House of Commons. A further evil was that the characteristics required by the Corporation were not the characteristics required by a Judge. The time was passing, if it had not entirely passed, when the fact of a member of the Bar being a Member of that House should form a ground of claim to any Judgeship in this country, and the qualifications for a Judge were not to be found alone in a man's Parliamentary position, but in his having passed the severer ordeals in the practice of his Profession. The Corporation also had the power of appointing Judges with a jurisdiction, including not only the City of London, but the counties of Middlesex, Kent, Surrey, and Essex. The position of these Judges appointed by the Corporation was also a matter deserving consideration. In this country, when Judges were selected by the Crown, it was so necessary that the administration of justice should be well maintained that the Legislature had reserved to itself, in case of misconduct, the power of the removal of those Judges by a joint Address from both sides of Parliament; but what power of removal existed in relation to either the Recorder or Common Serjeant? [Sir GEORGE BOWYER: You can remove them from the Commission.] To do that would be interfering with the customs of the City, which he did not think could be done, and it would be exercising that will of the Crown which he was endeavouring to maintain. When elected, this Judge must be put on the Commission, and, if he misconducted himself, there was no power of removal in Parliament or the Crown — there was none except that which was said to exist in common law, and he did not know what that was. It was true that the election of Recorder was vested in the Court of Aldermen, who had had some experience as magistrates, and were a smaller body than the Common Council; but, as a rule, they elected the Common Serjeant, whose natural claim it was an exceptional thing to refuse, so that the election of Common Serjeant was practically the election of the future Recorder by the 206 members of the Common Council. Was there one member to whom they would delegate the power of selecting the Judge? And could there be greater confidence in the 206? On the contrary, the larger number was more likely to feel a less sense of responsibility, and to depend upon the judgment of others rather than their own. Even after they were on the Bench, these Judges were not entirely free from the influences which attended their election, for the Common Serjeant sat side by side with the Aldermen in whose hands his election to the Recordership would rest, and even the Recorder was not altogether free from the like influences. He might be one whose judicial conduct was marked by the greatest independence, and whose name had become a household word for the purity with which he administered justice; but he could not help looking forward to the day when those sitting beside him on the Bench would perhaps engage in the discussion of his private means and determine what amount of pension they should vote to him. The House knew of men upon whom such influences could have no effect; but it was not right that it should be possible to bring them to bear. As to the American elective system, Chancellor Kent and Justice Story would be recognized as entitled to speak with authority, and the Chancellor quoted the Justice as condemning appointment by a deliberate Assembly, because it opened the door to party and local intrigue, and permitted men to accept judicial office without sufficient regard to the general welfare. His hon. Friend the Member for Londonderry (Mr. Charles Lewis) had given Notice of an Amendment, which was based upon the Report of the Royal Commissioners appointed in 1854, and which set forth that "the privilege of electing the judicial officers of the Corporation of the City" having been expressly approved by those Commissioners, the House should declare its opinion that "no circumstances have since transpired which call for the interference of Parliament." But he (Sir Henry James) desired to point out that that Report proceeded entirely upon the efficiency of the officers then existing — upon the undoubted capabilities of the Recorder and the Common Serjeant of the time. Further, it was not a sufficient security for the working of a system, and it should not prevent the House exercising its discretion now. It was strange that this Commission recommended that the election of Recorder should be transferred from the Court of Aldermen to the Court of Common Council. There was another

Report, however—a Report based upon much broader considerations, made by the Commissioners appointed to inquire into the Municipal Corporations of England, and published in 1837. That Report, instead of giving perfunctory reasons as to the capabilities of particular officers, dealt with the broad question, and supported the view which he had endeavoured to maintain—namely, that it was most objectionable to elect officers who had to exercise judicial functions. To the terms of his Motion, as it stood, objection might, perhaps, be taken; but he hoped he had made its object perfectly clear. He did not wish to take from the City of London the power of electing their Recorder and Common Serjeant. What he wished was to attack the legislation of 1854; what he wished was to give to the Crown the power which everyone who valued the Constitution ought to desire to see possessed and retained by the Crown—the power of nominating the Judges; while, at the same time, being answerable to the subject for their due and proper election. He thought the words of the Amendment, of which Notice had been given by his hon. and learned Friend the Member for Durham (Mr. Herschell), to the effect that it was inexpedient

> "that officers elected by any representative body should, in consequence of their being so elected, be empowered to try indictable offences,"

would probably express more clearly the views he entertained; and he would, therefore, if the Forms of the House would allow, adopt the words of that Amendment on his original Motion, hoping they would meet the approval of the great majority of the House. It was not for him to criticize his fellow-men; all he wished to do was to criticize the form of an appointment. And, with reference to the subject, he hoped the principle he had laid before the House would be acceptable to the great body of the people. The hon. and learned Member concluded by moving the Resolution as amended.

Motion made, and Question proposed,

> "That, in the opinion of this House, it is inexpedient that officers elected by any representative body should, in consequence of their being so elected, be empowered to try indictable offences."—(*Sir Henry James.*)

MR. CHARLES LEWIS, on rising to move the following Amendment:—

> "That the privilege of electing the judicial officers of the Corporation of the City of London, vested in that Corporation, having been expressly approved by the Royal Commissioners appointed in 1854, this House is of opinion that no circumstances have since transpired which call for the interference of Parliament,"

said, that rightly or wrongly, he was led to the conclusion, when the Motion of the hon. and learned Gentleman the Member for Taunton (Sir Henry James) was laid upon the Table of the House, that directly, it was meant, or that indirectly, the result would follow, that an attack would be made upon two hon. and learned Members sitting on different sides of the House, who had recently been appointed to judicial offices of a high character in the City of London. He had placed his Amendment on the Paper without the slightest communication with anyone, still less with the two hon. and learned Gentlemen whose position in high judicial office was more or less involved in the Motion. However, the hon. and learned Member for Taunton said he was in danger of being misunderstood. He (Mr. Lewis) confessed he was one who had misunderstood the hon. and learned Gentleman, and he thought that, considering the time and the circumstances under which his Motion was placed on the Table, he was excused for misunderstanding him. For what had happened? It was on a Thursday that the election of the Common Serjeant was held, and on the very next Monday the hon. and learned Gentleman put his Notice of Motion on the Paper. He thought he was doing no injustice to the hon. and learned Gentleman, when he believed there was a strong link of connection between the election of Thursday and the Notice of Monday. When it was recollected that the newly-elected Common Serjeant and the Recorder were then about to commence their judicial functions, the Motion seemed as if intended to disparage them by anticipation, and to inflict upon them and their office an injury of the most serious character. The present was an abstract Resolution, and the House disliked abstract Resolutions, and especially such as were directed at the mode of electing to judicial offices, and thus indirectly cast a slur on those on whom the office was conferred. The House was asked by this Motion to cast a stigma, not only on the mode of the election of officers of a judicial character by the Corporation of London, but also particularly on the persons who were to discharge the duties. He did not dispute that if the hon. and learned Member had obtained leave to introduce a Bill to amend the Act of 1834, he would have been taking a strictly legitimate course in bringing before the House the necessary Amendments he desired to make; but such was not the case, and when it was recollected that that Act of Parliament was the culmination of a system which had gone on for 150 years, and to which the Crown and its Advisers had been parties, the remarks they had heard that evening about the infringement of the Prerogative of the Crown seemed somewhat out of place. It might be inferred, from the speech of the hon. and learned Gentleman, that the original nomination of the Recorder and Common Serjeant was for the performance of strictly judicial duties; but the fact really was that these judicial duties had been forced upon them by the Crown and Parliament, their primary duties being to act as advisers to, and to advocate the special interests of, the Corporation. The City of London and their higher Law Officers were badly served by the hon. and learned Member's attacks relying on what he called the Prerogative of the Crown; and it seemed to him to be an answer to the Motion, that during a long series of years the Crown had been accustomed to include the Recorder and the Common Serjeant in the Commission of Oyer and Terminer at the Central Criminal Court—for it proved that the duties had been performed satisfactorily to the several Chancellors as well as to Parliament during a long period of years, and it was really a flattering acknowledgment that the Corporation had invariably shown great wisdom and judgment in selecting their Recorder and Common Serjeant. Without intending any disrespect to the Bar, he ventured to say that a speech quite as righteously indignant as that of the hon. and learned Member for Taunton might have been made on such a Resolution as this—

> "That it is of the highest importance that no appointment to the Judicial Bench should be in any way connected with Party politics, and that no inducement should be offered to Members of the Bar to go through the dirty avenues of a contested election, in order, by obtaining a seat in this House, to gain a vantage ground from which to step upon the Judicial Bench."

He ventured to say that the hon. and learned Member for Taunton would not have made an equally indignant speech in condemnation of such proceedings. The fact was that the appointments made within the last 20 or 30 years in the City of London had caused a great deal of professional disappointment, just as did the elevation of Mr. Justice Blackburn to the Bench some years ago—when, as hon. Members would recollect, an outcry was made by different members of the Bar, and especially by many among the leaders, that a slight had been passed upon them by that appointment. Leading articles appeared in the newspapers, and there was great indignation in high legal circles, that a humble reporter, without business, should have been put over successful persons at the Bar; and yet, that learned person had been lauded in the House of Lords with the highest distinction it was possible for a Minister to bestow. It was surely quite unnecessary to turn the House of Commons into a mere debating society. Did or did not this Motion refer to recent appointments? If it did not, and he would assume it did not, as the hon. and learned Member wished them to believe, then nothing could be more unfortunate than the time and circumstances under which it had been brought forward. A finger-post, pointing to certain hon. and learned Members in the House, could not have more clearly indicated the individuals to whom the Motion pointed. The hon. and learned Member laid it down as a fundamental proposition that the mode of electing the Recorder and the Common Serjeant did not present a satisfactory guarantee for the due administration of justice; but he had not quoted a single instance of its having been abused. Now, was it not incumbent on an hon. Member to cite such an instance before asking the House to adopt a Resolution like the one before it? It was not sufficient to deal with this question on merely *à priori* grounds. Hon. Members were not asked to sanction the initiation of a system under which Judges should be so appointed; but they were asked to affirm that a system which had existed for centuries ought to be altered in consequence of a theory which, however good in itself, had not been enforced by any facts showing that there was any evil to be removed or any insecurity or insufficiency in the administration of justice to be remedied. The hon. and learned Member for Taunton had referred to the Royal Commissioners of 1854-6; but he did not give the full force of their finding upon the question. They reported—

> "It does not appear to us that there is any ground for suggesting that the important privilege justly and highly prized by the citizens of London should be taken from them and vested, according to the precedents of other boroughs, in the Crown."

Moreover, no reasons had been given by him to induce the House to believe that the power of the Corporation had been unduly exercised, or that it had produced any discredit to the Corporation; and yet they were asked to take away a power which the Royal Commissioners recommended should be exercised in a more popular form, by its removal from the smaller body of the Court of Aldermen to the more numerous body of the Lord Mayor, Aldermen, and Common Council of the City. Was any credit to be given, apart from politics, to the Report of a Royal Commission, consisting of such men of high culture, long standing experience, and with clear scrutinizing judgment as Mr. Justice Patteson, Sir George Cornewall Lewis, and Lord Taunton? They were not men likely to recommend the extension of the power of election of these officers, unless very careful inquiry convinced them that the mode of election did not work badly. The hon. and learned Member for Taunton had referred to no persons or instances to show not only that theoretically the power vested in the Corporation was a mistake, but that practically it had worked badly in the administration of justice. Were there no facts, however, on the other side? The hon. and learned Member had referred to the case of Lord Denman, who, he said, did not canvass. Well, if that were so, it showed that the Corporation of London were capable, without personal solicitation, of electing a man of the highest type to the post of Common Serjeant. That circumstance told very much in favour of the Corporation, and showed that they might safely be trusted to exercise their patronage in this respect. Many distinguished individuals had been connected with these offices in former days, including Sir Talathiel Lovell, afterwards a Baron of the Exchequer; Sir Peter King, who subsequently became Lord Chief Justice of the Common Pleas and Lord High Chancellor; Sir William Thompson and Sir Andrew Strange, both of whom became afterwards Barons of the Exchequer; and in later times, also, there had been signal instances of the Corporation selecting men of high standing and capacity. Did not these facts take the edge off many of the abstract arguments which had been urged by the hon. and learned Member for Taunton? With regard to the alleged canvassing—unfortunately, in all times and circumstances, those who had anything to give away would probably be asked to give it, although Lord Bacon had stated that he who sued to be a Judge did not deserve to be appointed. It was quite idle to say that certain judicial appointments were not sought after, and if hon. Members looked at what occurred in private corners of that House, or in Ministers' quarters, they would find that suing to be a Judge was not a wholly unknown operation. It was equally idle to say that appointments to the highest judicial offices were not sometimes made through avenues and channels which would not bear the very closest investigation; but it was a fact highly creditable to the present Lord Chancellor, that in his appointments to the Judicial Bench he had shown his opinion to be that it was not a necessary passport to an office of the kind that a man should be either a Member of the House of Commons or of the Conservative Party. He contended that, while there had been no case made out against the Corporation of the City of London, or its present judicial officers, or those who recently held such appointments, there were abundant reasons for believing that the exercise of patronage on the part of the Corporation had operated with advantage to the State and with credit to the Corporation; and he trusted that the House would not be induced, by passing an abstract Resolution, to injure the administration of justice, or to place, as it were, a ticket of bad character on those who filled judicial offices in the City of London. The hon. Member concluded by moving the Amendment of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the privilege of electing the judicial officers of the Corporation of the City of London, vested in that Corporation, having been expressly approved by the Royal Commissioners appointed in 1854, this House is of opinion that no circumstances have since transpired which call for the interference of Parliament," — (*Mr. Charles Lewis,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. HERSCHELL, who also had an Amendment on the Paper, said, that the hon. Member for Londonderry (Mr. Charles Lewis) had endeavoured to draw away the attention of the House as much as possible from the discussion of the important principle underlying the Motion —a principle that might be of material interest with regard to the welfare of the country—by referring to the merits of certain persons who, elected by the Corporation of the City of London, had filled the offices of Recorder and Common Serjeant; because he could not help feeling that if he discussed the principle alone, he would find difficulty in meeting the arguments brought forward by the hon. and learned Member for Taunton (Sir Henry James). The hon. Gentleman (Mr. Charles Lewis) had chiefly addressed the House on the question whether this Motion was brought forward at the right time. For his part, he (Mr. Herschell) thought it would have been difficult to find a more fitting opportunity for bringing forward this Motion. About the only time at which the House could be expected to give fair attention to the subject, without being put in an invidious position, was shortly after the election, when the present holder of the office of Common Serjeant had neither shown himself incompetent to fill the office, nor possessed of very distinguished abilities to perform the duties intrusted to him. The hon. Member had not said a single word to show that the appointment of Judges by popular election was likely to lead to beneficial results. He had altogether dwelt on circumstances of a local and temporary character; but the real question was, whether the country was under this system exposed to the risk of appointments which the country would deem undesirable? It was no answer to this, to say that men were sometimes appointed to judicial offices from political or other motives which were not strictly judicial; and, while he (Mr. Herschell) objected to the mode of election now followed in the City of London, he hoped to see the day when such improper motives for the appointment of Judges would altogether disappear, and when fitness for the office would be the only ground on which a lawyer would be raised to the Bench. He admitted that there were, or might be, abuses in other modes of judicial appointment; but he asked the House whether all such abuses were not most likely to disappear by leaving the appointment of the Judges to a high official who would be responsible to Parliament and the country, who could be called to account, and who would feel the weight of his responsibility for the general administration of justice throughout the country, than by leaving it to 200 or 300 men who could know nothing of the qualities that best fitted for the Bench, or of the men who asked their suffrages? He ventured to think that electioneering arts, which necessarily were of advantage to a candidate when the appointment was in the hands of a body such as they were speaking of, were, perhaps, as little suited as anything could well be to give to the mind a judicial direction, or to preserve that frame of mind which they all desired to see in those who sat on the judgment-seat. Thus he maintained that the qualities which were best suited to secure an election were not those which were most likely to make the best Judge. The hon. Gentleman opposite stated that the Common Council had at times made most excellent appointments, and he spoke of the election of Lord Denman as one which did them honour. But the hon. Gentleman did not say that the Report, to which reference had been made, asserted that the election of Lord Denman was made from political motives. The hon. Gentleman said that the Motion was grounded upon, and caused by, professional disappointment at the recent City elections. For his part, he did not know to what the hon. Member alluded. The observation certainly did not apply to him. This, however, he could not help saying—that the hon. Gentleman seemed to have enjoyed very much the opportunity of defending one or two members of the Bar by throwing aspersions upon the rest of the Profession. The Motion was not dictated by any miserable feelings of jealousy; and he repudiated, with all the indignation of which he was capable, the suggestion that such a motive actuated him or any other of its supporters. They had been asked, where was the evidence that mischief arose from appointments made in the manner referred to? Well, abuses might arise, and evils exist, which were not of a very glaring character; but the production of the evidence necessary to prove their existence would necessitate a difficult and delicate inquiry, which must inflict pain and cause injury. Everyone knew that there must be differences in the relative capacity of different Judges; and they might have justice administered by an inefficient Judge, whose conduct might lead to many doubtful convictions, or cause a great deal of suspicion, pain, and trouble, and yet there might not be any glaring instance which they could bring before the public. It was a mistake to suppose that every Judge could try a prisoner equally well; and yet it would be a most invidious thing to say—"Oh, show me where such a Judge has failed; what person has been wrongfully convicted before him; what criminal has escaped through his incapacity?" Such an inquiry was entirely out of the question, and the House should not allow itself to be led away by it. Upon the capacity, judicial qualities, judgment, and discretion of the Judge depended everything that was dearer than life itself; and, surely, in a case where jurisdiction extended over 7,000,000 of people, it was of the highest importance, at any cost, and by all means, to secure the Judge best qualified to administer justice. That was what they desired, and it was with that desire that he supported the Motion.

MR. STAVELEY HILL said, there was scarcely a sentence uttered by his hon. and learned Friend who had just sat down in which he did not entirely concur; but many things he had said had no bearing on the question before the House. They had to consider, first, whether the discussion was opportune? and next, the point raised by the Motion of the hon. and learned Member for Taunton (Sir Henry James). His argument would go to show that neither of these considerations were sustained by the facts of the case. It did not follow, as stated in the Resolution, that it was in consequence of their election that these two officers tried indictable offences. The Recorder was a high functionary, who gave the authorities of the City counsel and advice under all circumstances; he was also the exponent of their laws and customs; and the Common Serjeant was another high functionary; he might be called the Deputy Speaker of the Aldermen and Common Councilmen, and he gave them advice in and out of council. In fact, the Recorder and Common Serjeant were engaged on behalf of the City of London in the most high and most responsible business that could fall into their hands. What position did these high officials stand in? He made a present of all that occurred before 1834 to the hon. and learned Gentleman the Member for Taunton, and he should go on to inquire—What did they find these gentlemen appointed to do? They were, in consequence of their election, selected by the Legislature, as, amongst others, persons suitable to try indictable offences, and the Act of 1834 empowered the Crown to appoint or not appoint them. The Act left it in the power of the Crown, if they were unworthy to sit as Judges, to omit them from the Commission of Oyer and Terminer; and, therefore, he held it was left in the power of the Crown to put the Recorder and Common Serjeant in the position of Judges, or to omit them if not fit persons. Here, then, was the position. These two gentlemen were appointed by the Corporation, and here was the Act of Parliament applicable to them. In the first or second year of the present Reign a Commission was issued under the Act in which these two were included as Judges. The Commission was issued from time to time, and any person disqualified might be omitted from the Commission. If that were so, how could his hon. and learned Friend defend the Resolution he had placed before the House? All the Aldermen who were similarly elected by the citizens of London were magistrates, and were placed on the same Commission as persons fit to try these offences. He ventured to say that to put forward this Resolution now and to argue it now, was to cast a slur on two gentlemen recently elected, and calculated to diminish their utility at the time when they were entering on their office. If his hon. and learned Friend the Member for Taunton did not mean to allude to this particular election, he should have brought his Motion forward against the Aldermen as well as the two officers who had been appointed. Did not that very fact show that the Resolution was aimed against the circumstances of this election? He submitted that there was nothing made out which required an amendment of the law of election, or which rendered this Resolution opportune to the present occasion.

MR. WATKIN WILLIAMS said, he must frankly confess that he had been unable to understand the argument of his hon. and learned Friend (Mr. Staveley Hill). A broad, simple, and perfectly intelligible proposition had been laid before the House. He understood the question was, whether judicial appointments should be made by irresponsible popular election or under the responsibility of the Executive Government? He deeply regretted the necessity for a Motion of this sort, more particularly as it touched a Member of that House and of the Legal Profession. But the recent election had given rise to much discussion among Members and at the Bar, and it would be affectation to deny that the Resolution referred to a particular individual. Appointments of this kind could never be tested with reference to the qualification of individuals; but it was well known what evils there were connected with them when they were not made on the responsibility of Ministers who could be questioned in Parliament. He had been glad to see of late a tendency to transfer all appointments in Courts of Law to the Executive Government; for hitherto, if bad appointments had been made, those who were affected by them had been helpless to criticize them. The time had come for a declaration in that House that they preferred the selection of Judges by the Executive Government to their election under a system which induced them against their own feelings to tout for votes. He would be glad to see every office in England withdrawn from the bad system of election by popular vote. He hoped the House would not be deterred by any considerations of a personal nature from coming to a vote on the broad proposition.

MR. HARDCASTLE said, the last speaker had expressed himself more honestly than others, and this was nothing more nor less than a personal matter. He himself considered the House was indebted to the hon. Member for Londonderry (Mr. Charles Lewis) for the information he had afforded them on the subject of this discussion. The hon. Gentleman had certainly told him what he had not known before, that this question of the *quasi*-popular election of criminal Judges by the Livery of London had been inquired into by three most eminent men sitting as Royal Commissioners—namely, the late Sir George Cornewall Lewis, the late Lord Taunton, and the late Mr. Justice Patteson, and that they had not found in it, so far as those particular Judges were concerned, anything to condemn. A terrible picture had now been drawn of the evils which might arise from Judges not being insensible to influences—influences under what circumstances? It was suggested that the Common Serjeant, sitting beside an Alderman who had assisted to secure his election, might be influenced by him whilst trying a man for his life. Did Aldermen thirst for blood? Was it when a man's life was at stake, that an Alderman would be likely to interfere. The idea was absolutely absurd. In a civil action, as Aldermen were only human, they might imagine it possible that some influence would be used; but in the other case, never. He was no defender of the popular election of Judges; he admitted this was an anomaly; but their freedom in England was largely due to anomalies; and he did not take exception to the maintenance of this anomaly, which had worked well for 300 years. As a layman, he was disposed to set the opinions of the Commissioners of 1854 against those of the hon. and learned Gentlemen opposite. Lawyers were not as other men, they were in the habit of taking sides, and would as soon defend a murderer as prosecute him. Such a profession must harden a man somewhat, and it must have been the Law Courts' experience of the hon. and learned Member for Taunton which enabled him to say so many things calculated to inflict pain. He was glad that in this respect he differed from him, and looked at this question from a different point of view to that from which they had been invited to regard it.

MR. LOWE: Sir, the hon. Gentleman who has just sat down professes to look at this matter from a personal point of view. As my view is entirely divested of any personality, I hope he will consider it no disrespect on my part if I do not follow him in his view of the subject. Nor do I think my hon. and learned Friend will require me to say anything in defence of the Bar. The question is an exceedingly simple and important one. It is nothing more nor less than this. There is nothing, perhaps, more valuable to us, nothing which tends so much to hold civil society together, as a pure, just, and intelligent administration of justice; and there is no sacrifice that I can imagine which we ought not to be ready to make in order to obtain that in its greatest purity and greatest perfection. The question, then, which we have to settle on this occasion, is simply this —What is the best way of obtaining the purest possible administration of justice? I know no other question than this. I put everything else aside, and I fix my attention solely on that point. Well, it is argued, or, at least, it is suggested, that the right way of obtaining the best possible administration of justice for 7,000,000 of our fellow-subjects is to select, or rather that two persons should be selected, for other functions altogether than the administration of justice; and that, having been so selected, with reference to these functions, by the Corporation of the City of London, having taken care that they should be selected *alio in tuitu,* we should then, as a matter of course, annex to these offices the highest function connected with the administration of justice, including trials which involve life and death. The nature of the contention is, that to elect a man for particular objects which have nothing to do with judicial functions and then to force these functions on him is the best way to get a good administration of justice. That does not happen to be my opinion. My opinion, on the other hand, is one which I might hope would have some little weight with hon. Gentlemen opposite, because it is founded on long practice in this country, and—what is better than all the argument that can be used—crowned with no ordinary measure of success. I do not mean to say that by this or any other way you will not get a certain number of fit men to administer justice. The French Judges once bought the right to administer justice, and France has enrolled many noble and illustrious men in the annals of her Jurisprudence. Therefore, I do not mean to say that this elective system will necessarily always produce bad Judges; but I do say, if there is anything about which a country ought to have confidence, it is the taking the best means that can be taken for securing the best administration of justice. How is that to be done? I do not profess to have any new-fangled nostrum on the subject. In this case we have had a very satisfactory lesson from our own history. Ever since the Revolution, ever since Judges were appointed by responsible Ministers having sufficient knowledge to pick out the best men, and having a responsibility to the public which made them afraid of selecting unfit men, we have been blessed for 200 years with what, on the whole, allowing for the natural imperfections of human work, is the most admirable administration of justice, probably, that the world has ever seen. We take the Lord Chancellor, a man who has by great industry and ability risen to the top of his Profession, and we give him in the face of mankind the power of making these appointments, holding him responsible for them; and though we sometimes have, or think we have, reason to complain, we have, on the whole, what we want. The question we have to settle to-night is—shall we adhere to this venerable practice of our ancestors, which gives satisfaction not only by its antiquity but by its great and well-recognized success, or shall a Conservative majority put that aside and take up instead the principle of the election of Judges? The question is nothing more nor less than that. It is unnecessary to argue it. The election of Judges, and the corruption that is created in that way, led to the miserable transactions that occurred in New York. Where is there an instance in which the system of electoral Judges has answered? Are you, at this time of day, prepared to give up a system which is in entire accordance with your own history, which left the appointment of the Judges in the hands of the responsible Minister, substituting for it the principle of election? That really is the question to be decided. I cannot really doubt that it does not become a Conservative majority to be the first to set an example, which may easily be spread in these days, of doing away with the plan of appointing Justices by responsible Ministers of the

Crown, and substituting for it a system of election of any kind whatever.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD): Sir, I cannot help thinking that the right hon. Gentleman who has just sat down is labouring under some strange misapprehension of facts, when he speaks of the adoption of the system of election of Judges by the Conservative majority. The offices of Recorder and Common Serjeant are ancient offices. There is also the officer called the Judge of the Sheriff's Court. In 1834, one of the first acts of the Reformed Parliament was to pass a Bill, brought in by Lord Brougham, in which these officers were made available as Judges of a new Court, possessed of entirely new jurisdiction. With what degree of accuracy can he describe the defence of that system, which was introduced and passed by a Liberal Administration, as an attempt by the Conservative majority to alter the ancient judicial system of the country? Although that was done by a Liberal Administration, the experiment has proved successful. Is there anything in the conduct of the Court, or in the administration of justice in it, which justifies the new-born zeal of the right hon. Gentleman in favour of ancient institutions. The system adopted in 1834 was approved by the Commission that sat in 1854, of whom two were prominent Liberals and one a Judge, who was so remarkable for impartiality that it was impossible to say to what Party he belonged. The Commissioners reported that there was no ground whatever for any alteration. It is said this Motion is not aimed at an individual, and I abstain from disclaiming such a thing on behalf of the hon. and learned Gentleman who brought it forward, as it would only be an insult to suggest it. But it is impossible, however much hon. Gentlemen may disclaim it, to disassociate the Motion from the fact that two hon. and learned Members have been recently elected to these offices, and that, with no proved incapacity or mal-administration of justice, it has been sought to declare that officers so appointed should not be trusted with the administration of justice. However the Resolution is looked at, it is an attack upon the privileges of the City of London. With reference to one statement which has been made by my hon. Friend the Member for Londonderry, I must take the opportunity of denying, on the part of the Profession to which I have the honour to belong, that it is a fact that members of that Profession sue to be made Judges; and I can also say that if there has been a cabal against any particular Judge, I have never heard of it. The question must resolve itself into this—What has been the result of the system now assailed? The answer is to be found in the list of distinguished persons who have filled the offices, and of persons who, after inquiry, declined to report against the system. I apprehend an observation made by the hon. and learned Member for Taunton had reference to a transaction in which insolent vulgarity was offered to one whom we have all learned to reverence and respect. But it would be harsh to assume that such an incident as this is at all characteristic of the system of election under which these Judges are chosen, and which I venture to support.

SIR GEORGE BOWYER thought that the present discussion had partaken very much of the nature of that which might have been expected from a debating society, and that the Motion of the hon. and learned Member (Sir Henry James) simply stated what was a platitude. As a general proposition, it was not desirable that indictable offences should be tried before Judges elected by anyone, and Judges ought to be appointed by responsible Ministers of the Crown. At the same time, he could not say that mode of appointment had always been successful. In their own experience, they had known some eminent Judges appointed by Ministers of the Crown; but they had also known some very bad ones so appointed. And as for the responsibility of Ministers, when a Minister had got a good round majority at his back, he might laugh at responsibility. But why did not the hon. and learned Gentleman propose at once that it was expedient and necessary that the Recorder of the City of London and the Common Serjeant should be appointed by the Ministers of the Crown? Instead of that, he brought forward a general proposition which nobody could dispute. The Members of the Liberal Party had always shown a great dislike to the privileges of the City of London. But those municipal privileges were part of the liberties of the country. The question now before the House was not whether, as a general rule, the Ministers of the Crown should appoint the Judges, but whether the City of London was to be deprived of a privilege which it had so long enjoyed, and which was bound up with the history and the liberties of England? For his own part, he could not vote with the hon. and learned Member for Taunton. If the hon. and learned Member had desired to raise the question honestly, he ought at once to have proposed that the City of London should be deprived of its privilege.

MR. BIGGAR said, that although he sat on the Liberal side of the House, he did not intend to vote for the Motion. The hon. and learned Member had not made out a sufficient case to entitle hon. Members to vote with him. It was all very well to urge that responsible Ministers of the Crown should appoint the Judges; but surely they were no more competent to form an opinion on the fitness of an individual than the Court of Aldermen? The present Ministry were elected because they were in favour of the publicans; but that was no reason why they should be qualified to select Judges to preside over the Assize Courts. A bad selection was made by former Liberal Governments. Lord Westbury was a very able man, but was thoroughly dishonest. He lost his Office because he passed laws to manufacture places, and allowed his sons to sell the places to the highest bidder. That was notorious. One of the Judges at present at Westminster was in the habit of sleeping on the bench. He was selected by a Tory Government.

MR. GRANTHAM said, that the hon. and learned Member for Taunton had given many reasons why the City of London was likely to elect bad Judges; but he did not mention a reason why it was likely to elect good ones—and that was, that it was its own interest to do so. The Court of Aldermen would not be likely to appoint anyone who was not capable of giving them the legal assistance they required, and the Court of Common Council might be expected to be actuated by the same interested motives; and, if they appointed men fit to hold the offices of their legal advisers, it was very strange if they should be unfit for the trial of offenders. He did not see, therefore, why Lord Brougham, and others who followed him, should not have come to the conclusion that those who might be elected to the offices of Recorder and Common Serjeant would be fit to try the prisoners brought before them. The right hon. Gentleman the Member for the University of London (Mr. Lowe) seemed to think it was an anomalous thing that persons appointed for one duty should have another thrown upon them. But a great many of the Judges appointed to the Queen's Bench, Common Pleas, or Exchequer, had never had anything to do with criminal business in their lives, until their names had been put in the Commission for trying criminal offences; and it must be remembered that they were not appointed Judges for the purpose of trying prisoners, but Judges of the various Courts of Common Law, and, as such Judges, they were afterwards put in the Commission for trying prisoners. The best answer to the Motion was the speech itself of the hon. and learned Gentleman; because, although he had shown that 2,000 persons had been tried, and he forgot how many thousands of years of penal servitude ordered, by way of sentences, he had been unable to refer to a single instance in which an injustice had been done. It was not long ago that the principle of the appointment of civil servants, in the person of Mr. Pigott, by the responsible Ministers of the Crown, was called in question, and appointments made by those Ministers were condemned in no measured terms; while, shortly before that, the legal appointments—namely, the official referees appointed actually by the Lord Chancellor and the Judges combined were made the subject of direct attack and attempted censure in that House. By whatever body, therefore, appointments were made, hon. Gentlemen opposite were displeased. Why, then, should these appointments, with which no one was able to find fault, be held up to ridicule to-night? Before the appointment was made, and when the number of candidates who were going up for it was generally remarked in the House and in the Press, no one ventured to suggest that the mode of making that appointment was wrong; but the moment it was made, and an hon. and learned Member on one side of the House was appointed well known for his Conservative opinions, another hon. and learned Gentleman of eminence hastened to put on the Paper a Motion which showed that he was actuated by some other motive than a desire to change the mode of election. Why, his hon. and learned Friend the Member for Taunton (Sir Henry James) was in such a hurry to censure the appointment directly it was made, that from the terms of his Motion it was clear he did not know what the appointment was, or how it was the Common Serjeant had to try prisoners, until his hon. and learned Friend the Member for Durham came to the rescue a few days afterwards and pointed out that the duty had been cast upon the Common Serjeant by Lord Brougham, the great Liberal Chancellor. He should, for these reasons, certainly oppose the Motion.

Mr. WADDY ironically expressed himself so perfectly satisfied with the arguments of hon. Members opposite, that he could see no reason why so excellent a system should not be applied to the whole country. It was a scandal and a disgrace that advantages of this kind should be kept to the Metropolis. If the Town Council of Leeds, for example, were to elect their own Recorder or their own Chairman of Quarter Sessions, it might be possible to say whom they would select.

Sir HENRY JAMES, in reply, said, whatever might be the result of the division, he was perfectly satisfied with the course of the discussion. Every hon. Member who had spoken in that debate, except the hon. Member for Cavan (Mr. Biggar), approved the abstract proposition that Judges ought not to be appointed by a representative body. No one, not the Solicitor General, had ventured to say he disapproved of the abstract proposition. He declined to follow the hon. Member for Londonderry through the personal questions into which he had entered; but he wished to say a word as to his contention that the Motion was inopportune. His hon. and learned Friend the Member for Durham (Mr. Herschell) had shown that, of all the times for bringing it forward, it was the most opportune. When would it be opportune, in the opinion of those who raised that objection to bring forward a Motion of that kind? When a bad Judge was sitting on the Bench? If a Motion were brought forward complaining of the appointment of a particular Judge, someone would defend, and others would complain of, his appointment. It would be said that it was an unconstitutional course to make such an attack on the appointment; and then the House would have to resort to the passing of an abstract Resolution, that in future Judges should not be appointed by a representative body. The hon. and learned Member for West Staffordshire said the Crown had the power of excluding the Recorder, the Common Serjeant, and the Aldermen from the Commission.

Mr. STAVELEY HILL: What I said was that the Crown would, under the Act, be within its right in issuing the Commission to them, or any of them.

Sir HENRY JAMES: The words of the Statute were specific—that these Judges, including the Recorder, the Common Serjeant, and the Aldermen, should form the Court. The House could not attack the City of London, but they could attack the legislation by which that state of things was brought about. Though that legislation proceeded from a Liberal Government, he could not be accused of inconsistency in attacking it.

Major NOLAN did not think it was opportune, just after a Member of the House had been appointed to a Judgeship by a representative body, to bring forward this Motion, which looked very like a Party move. He thought that popular control in the appointment of Judges should be extended instead of being diminished.

Question put.

The House *divided*:—Ayes 57; Noes 102: Majority 45.—(Div. List, No. 131.)

Words *added.*

Main Question, as amended, put.

Resolved, That the privilege of electing the judicial officers of the Corporation of the City of London, vested in that Corporation, having been expressly approved by the Royal Commissioners appointed in 1854, this House is of opinion that no circumstances have since transpired which call for the interference of Parliament.

CRIMINAL CODE (INDICTABLE OFFENCES) BILL.

LEAVE. FIRST READING.

The ATTORNEY GENERAL (Sir John Holker), on rising to move for leave to bring in a Bill to establish a Code of Indictable Offences and the

Procedure relating thereto, said: I should have preferred bringing on this subject at an earlier hour, but, owing to the state of Public Business, I was afraid that if I did not take advantage of the present opportunity of doing so, I should not easily find another. The Government have for long been fully impressed with the advantages which would accrue from a thorough condensation and simplification of the law. In recent years many Statutes consolidating Acts of Parliament upon various subjects have been prepared and passed; but, up to this time in England, no serious effort has been made to completely codify any branch of the law. Codification has, however, been resorted to in other Dominions of Her Majesty; and notably in India, where, some years ago, a penal code was enacted which has been found of the greatest use, and has given universal satisfaction. The success of this penal code was, to a great extent, due to the labours of a very learned jurist and sound practical lawyer, who was formerly the legal member of the Council of India. I allude to Sir James Stephen—a name well-known to all who take an interest in the law, or in the philosophical literature of the country. When the Indian Penal Code had been passed and brought into operation, Sir James Stephen left India, and returned to England. After his return, he continued to devote himself to the improvement of the law—his favourite study—and, after long and patient labour, he produced a work which has, I believe, been received with approbation by all who have to do with the administration of justice. I mean his *Digest of the Criminal Law*. When this work appeared, it was drawn to the attention of the Government; and it was—I may say, without using any exaggerated language—hailed with the greatest satisfaction; because it demonstrated the possibility of reducing, at all events, one most complicated branch of the law —I mean the criminal law—into not only a reasonable, but an exceedingly narrow compass, and of rendering it easy of comprehension and perfectly intelligible. The work to which I have alluded is simply a statement of the existing law in a number of well-arranged and lucidly expressed sections, and it would of itself serve, with little alteration, for a code, if the law, as it at present exists, were altogether satisfactory; but such is not the case. That portion of the law with which this work of Sir James Stephen deals needs not only condensation and simplification, but, in many particulars, needs considerable amendment. Immediately the *Digest of the Criminal Law* was published, it came under the attention of the Lord Chancellor and the Law Officers of the Crown, and it was at once perceived that this work formed an excellent preparation for the codification of that portion of the law embraced in it; and it was obvious that the publication of the work, and the fact that the learned author of it was willing, nay, most anxious to continue his labours, and to render every assistance in his power in carrying into effect any scheme of codification that might be determined upon, afforded to the Government an excellent opportunity of making a commencement in the codification of the law, of which they certainly would be unwise not to avail themselves. Codification was recognized as most desirable, but it was clear that the whole law could not be codified at once. A commencement must necessarily be made with some branch or section of the law. It seemed to be more essential to condense, to simplify, to explain, and amend—for codification means condensation, simplification, explanation, and amendment—the criminal law rather than any other branch; because the criminal law is necessarily so largely resorted to, and is, moreover, so largely administered by persons who are not trained lawyers, and who require some plain statement of the law for their guidance. Furthermore, this part of the law seemed more susceptible of codification than any other, and the way to its codification had already been paved by the work to which I have referred. The Government, therefore, speedily came to the resolution to take advantage of the opportunity—I think I may call it the rare opportunity—which presented itself, and boldly to attempt the codification of the criminal law, or, at all events, of a very considerable portion of it. They, accordingly, took Sir James Stephen into their councils, and in the result confided to him the task of preparing the Bill by which they designed to accomplish their object—the Bill which I have now the honour to ask the leave of the House to allow me to introduce. In the preparation of this Bill, Sir James Stephen has, of course, had all the assistance the Government have been able to place at his disposal. He has received, during the course of his labours, suggestions from the Lord Chancellor, the Law Officers, and the eminent draftsmen who usually prepare the Government measures; but it is only right and fair to say that the great bulk of the labour of preparing the code which the Bill contains has fallen upon Sir James. He is, in fact, the originator and the author of the work, and to him, mainly, at all events—if the Bill meets, as I hope it will meet, with acceptance and approval in this House and in the country—the credit of the measure will be justly due. Having made these preliminary observations, I will ask leave to draw the attention of the House a little more particularly to the measure I propose to introduce. This measure is, no doubt, to a great extent, a tentative one, and a measure of this sort must necessarily be so. It is an experiment to a considerable degree, and, being an experiment, it has not been thought right to make it of too ambitious a nature. This code has, accordingly, been confined to a portion of the criminal law—that is to say, that portion which relates to indictable offences. When the Bill is laid before the House, it will be found to contain a statement of the persons who are to be regarded as parties to the commission of such offences; of the circumstances which form excuses or justifications for the commission of acts which would otherwise constitute crimes; a minute and careful definition of the various indictable offences known to our law—or, at all events, of such of them as are ordinarily considered to fall within the category of crimes; a statement of the punishments which may be inflicted on those who commit such offences. And to all this is added a complete code of procedure which is to be adopted for the purpose of bringing those who perpetrate crimes to justice, and of subjecting them to the punishment due to their misdeeds. I daresay, perhaps, hon. Members may ask why the code has been confined to indictable offences, and why it does not include offences punishable on summary conviction? If such a question is asked, I shall answer, in all candour, that the code has been confined to indictable offences, and has not been extended to cases punishable on summary conviction, not because the desirability of codifying the law relating to them is not recognized, but because, if we were to include those offences in the present code, the labour of passing the measure through Parliament would be too vast and overwhelming, and the result would be that our endeavours to make a beginning of codification would probably prove unsuccessful. There is a clear and well-marked dividing line between indictable offences and those punishable upon summary conviction. If we split our subject into two parts, we may be able to grapple with one of them. We propose to grapple with indictable offences; and, if our exertions are not in vain, and we are able to produce and pass into law a measure that meets with the approval of the country on this subject, then we shall not hesitate, on a future occasion, with a bold and confident front and a good heart, to approach Parliament, and submit a scheme for the codification of that part of the criminal law which, at present, in this Bill we do not propose to touch. I have described the measure which I ask leave to introduce as "a code of indictable offences;" but it is necessary that this expression should not be misunderstood, and that its generality should receive at the outset some qualification. The measure is a code of all such offences as are ordinarily regarded as crimes; but there are instances of indictable offences created by Acts of Parliament upon various subjects, as sanctions for the special provisions of such Acts, which have not been inserted, because it would not be possible to make them thoroughly intelligible, and to deal with them completely, without re-enacting *in extenso* in the code the provisions of the Statutes which have created those offences, or rendering it necessary for those who use the code to make constant reference to the Statutes themselves. Now, it is obvious that if the provisions of such Statutes as I have referred to had to be introduced into this Bill, the bulk of the measure would be swollen to an enormous and unwieldy size, which would greatly diminish its value; and, if the reader of the code were under the necessity, in order to understand its provisions, of repeatedly referring to other

Acts of Parliament, instead of his perplexity and embarrassment in endeavouring to discover and apply the law being removed or greatly diminished, it would be rather aggravated and increased. Furthermore, there are to be found in some Acts of Parliament enactments which provide that acts which, as a rule, the Statutes treat as constituting summary offences merely, shall, under certain circumstances, be offences of a more serious character, and subject those who commit them to indictment. To render, however, these enactments intelligible, it would be necessary to set forth all the provisions relating, not only to the indictable offences, but also to those punishable on summary conviction. If this were done, we should be departing from the rule we have laid down for our guidance—that is to say, to make this Bill a code of indictable offences, and indictable offences only, and we should be creating, at all events, an appearance of confusion. For this purpose, it has been determined, also, to omit from the Bill the indictable offences to which I have just referred. After the explanation I have just given, hon. Members will see that, although the measure is described as a code of indictable offences, it will not upon investigation be found to include every crime of this nature which may be discovered in the Statute Book; but, as I have said, all offences which are ordinarily considered crimes will be found dealt with in its pages. And I venture to say that if the measure I propose to introduce becomes law, Judges and magistrates engaged in the administration of the criminal law will very rarely be called upon to consult any other Statute or text-book than the code which this measure will contain. Now, the code not only condenses and consolidates the law, but in several respects it alters it. I deem it essential that I should at once explain to the House what the principal alterations are. I will not attempt, on the present occasion, to describe all the amendments; but I will deal with those which are most prominent. The first important alteration is the abolition of the distinction between felony and misdemeanour, and the substitution for those terms of the expression "indictable offences." It does not seem to us to be necessary to keep up the antiquated distinction between felonies and misdemeanours. In old times misdemeanours were not only regarded as offences of a trivial and unimportant character as compared with felonies, which generally involved the penalty of death, but the misdemeanours then known to the law were really comparatively trivial and unimportant. When this was the case, there might be some semblance of reason for the law providing that different consequences should be entailed by one species of crimes from those which flowed from another. In later times, however, it cannot be said that the misdemeanours which are to be found in our Statute Books, in respect of which punishment is inflicted on those committing them, are either trivial or unimportant. Some of the most serious offences known to the law, and punished with great severity, are misdemeanours; and, in order that I may illustrate it, I will draw the attention of the House to a few examples. Perjury, which sometimes involves a culpability almost as great as that of murder, as in the case of a man who falsely swears that another man has committed some crime for which he may be capitally punished; conspiracy to murder, misappropriation by agents, obtaining money by false pretences, and several other crimes of the same character, are instances. These are certainly crimes as aggravated and pernicious in character as many felonies —for example, embezzlement, theft, bigamy, larceny by bailees, and so on. I do not say that there is no distinction between the sets of crimes I have enumerated; but I do not see why you should treat one class as a misdemeanour and another as a felony. Therefore, I submit that as grounds exist at the present time for making distinctions between misdemeanours and felonies, on account of the minor character of the former, and, as most of the distinctions which formerly did exist between the two classes of crimes—for example, forfeiture was incurred in felony and not in misdemeanour—have been swept away by legislation, there appears to be no sufficient reason why any of the differences which still remain should be preserved. Accordingly, it has been determined to put an end to them by the present measure, and this determination will be found to have been carried out. The removal of the distinction between felonies and misdemeanours is important, if, for no other reason, because it enables us early to adopt a uniform system of procedure, as I shall endeavour somewhat more fully to point out when I come to that portion of the measure which deals with procedure. The next alteration in the law which the code effects relates to the persons by whom crimes are committed. At present, in felonies, those who incite and persuade to the commission of crimes are called accessories before the fact, and, in some respects, are treated somewhat differently from those who actually take part in the perpetration of the offence. In treason, however, there are no accessories, nor are there in misdemeanours, and the law gives this strange reason for the exception—

> "That there are no accessories in treason, because the crime is too serious; and none in misdemeanour, because misdemeanours are supposed to be of too little importance for refinements."

The whole doctrine as to accessories before the fact is, no doubt, a refinement, and those who have prepared this Bill consider that subtleties and refinements in criminal law are very objectionable, and we wish to abolish this one; and, therefore, we propose to call those who incite others to crime and those who absolutely commit crimes by the same ugly names, and to treat them exactly alike. Another important alteration which is worked by the code has relation to punishments. We desire that the punishment in all cases should be made proportionate to the guilt of the offender, and should be fixed upon some reasonable and intelligible principle. There used to be, formerly, a great number of enactments which provided that for certain offences persons should be sentenced to not more than a given, that is to say, a maximum punishment, and to not less than a given, that is to say, a minimum punishment. Minimum punishments were a great evil, and I am happy to say that these punishments have been to a very considerable extent set aside by recent legislation; and now a very large discretion is confided to Judges, and they are enabled, upon their view of the circumstances, to mitigate the punishment almost to any extent. I think that is right. Still, although great service has been effected by the sweeping away of minimum punishments, our Statute Book remains disgraced by an enormous variety of maximum punishments, fixed apparently without any particular regard to the gravity of the offences in respect to which they are imposed as compared with others. For example, threats to murder, conspiracies to murder, administering poison with intent to harm, are punishable with a maximum punishment of 10 years' penal servitude; while throwing explosives at a ship or house, stealing an heiress, maiming cattle, cutting hop binds, are offences punishable by a maximum punishment of 14 years' penal servitude. Is there, however, any reason or sense in this distinction? I submit there is not, and that all these crimes ought to subject those who commit them to the same maximum punishment. I have only specified a few instances, as illustrations, to make my meaning clear. It would be very easy to pick out numbers of other examples, which would equally demonstrate the uneven and unequal character of maximum punishments at present appropriated to various crimes. Now, the variety of maximum punishments is an evil, because it produces embarrassment and confusion and uncertainty, and an appearance of injustice, if not injustice itself. Moreover, it necessitates a vast increase in the bulk of the enactments by which offences have to be provided for. The number, then, or, I should rather say, the variety of maximum punishments has, therefore, been greatly diminished; and, by this diminution, the framers of the criminal code have been enabled to effect what, I think, hon. Members, when their attention is called to it, will consider an extraordinary amount of condensation. It has been thought right, also, in the case of stealing and other frauds provided for by the code, under the head of theft, in apportioning the maximum punishments, not only to have regard to the nature of the thing stolen or obtained, the position of the person committing the offence, the place where the crime is committed, and the manner of committing such crime, but also to the value of the property obtained by the offender. I think the House will agree that this is only reasonable. Why should a man, who ruins hundreds by opening a fictitious bank, or floating a company to work a sham mine, be liable only to the maximum punishment which may be inflicted on a poor, hungry wretch, who steals a loaf. Again, the opportunity has been seized for placing the law with respect to cumulative punishments upon a more satisfactory basis than that upon which it at present stands. At present, if a man has committed several offences, he may be punished for each with the amount of punishment appropriated to it, such punishment to begin when the previous sentence has expired. The effect of this is that a man may sometimes be sentenced to four, six, eight, or 10 years' imprisonment with hard labour—sentences which those who are acquainted with prison discipline will tell you are almost greater than human nature can endure. Provision is made in the code to prevent the possibility of any such sentences being for the future imposed. The next amendment in the code to which I will call attention—and I think I shall be considered justified in calling it an amendment—is the omission from the definitions of offences comprised in it of all mention of malice, of all use of that word, or any of its derivatives. This omission has been decided on, because the legal and popular senses of malice are irreconcilably different, and all the efforts of Judges are frequently unavailing to make juries understand and appreciate this difference. The legal meaning of this word "malice" may be said to be "wilful illegality of conduct;" but it is obvious that illegality of conduct may be the result of motives which are almost praiseworthy. It may be the result of anger, perhaps well grounded, of just indignation, or even of pity. If the illegality of conduct complained of is the result of those motives, the jury cannot understand the explanation given; because the popular notion of malice is "ill-will towards some particular person or persons, and ill-will which it is immoral to feel." In the lay mind the idea of malice is excluded if the ill-will is such as circumstances may not only reasonably engender but morally justify. This word "malice" is largely used in our existing criminal law; but it is a word which is full of danger, and the source of infinite confusion and difficulty. It has been deemed right to avoid its use altogether in the code, and, where necessary, to substitute for it words which convey the full legal explanation which the Court would have put upon the word malice, had it been employed. That is a great simplification, and will be found of great use in the administration of the law. I now come to some alterations of considerable moment in Part V. of the code—that is, that part which relates to offences against the person. Under this head is to be found homicide, which, of course, includes murder. With regard to murder, we have ventured to make two radical changes in the law. First, we have abolished what I will call constructive murders—such as homicides, which are declared to be murders by reason of the existence, not of actual malice in the mind of the offender, but malice which is presumed by the law; second, we have endeavoured to place the doctrine of provocation upon a simpler and more intelligible footing. In order that I may make myself clear on these points, let me explain what I mean by constructive murder. I use this expression, which I acknowledge is inaccurate, for the sake of brevity. At present, if a man is engaged in committing a felony, and he kills anyone, he is guilty of murder, although the killing might be accidental, and the offender may not have had the intention of inflicting even the slightest harm. For example, if a man endeavouring to break into a house were to push open a shutter, and the bar which had served as its fastening were to fall on the head of some person inside and kill him, the burglar would be guilty of murder. Again, to use a common illustration, if a man were to shoot at a barndoor fowl, intending to steal the body, and should accidentally hit some one hard by and kill him, the intended fowl-stealer would be guilty of murder. So, according to the present law, if a man resisting an officer of justice in the execution of his duty occasions his death by tripping him up and causing him to fall on his head on the curbstone, he will have committed murder. Now, I think the House will agree with me that such acts as I have described do not fall within the category of murders, and, though known as murders, they are merely murders by construction of law. It seems to me that murder by construction of law is a disgrace to the juridical system of the country, and should no longer be retained. A man who was found endeavouring to break into a house should be tried for the crime he intended to commit. So the fowl-stealer should be tried for that offence. And a man struggling with a policeman should be charged with resisting the police in the execution of their duty. To call those acts, which were done without the slightest intention to kill, murder, is monstrous. I would maintain that no one should be pronounced guilty of the atrocious crime of murder—a crime which, if it is brought home to a man, subjects him to the appalling punishment of an ignominious death—unless he has deliberately intended to take away life, or to inflict grievous bodily harm, or he has deliberately done an act likely in itself to cause death or grievous bodily harm, and has by such act caused death, having at the time a stolid indifference whether such result would follow the commission of his act or not. In the instance I have alluded to, of a man doing an act with the intention of killing or causing grievous bodily harm, and thereby destroying a fellow-creature, I think all will agree that he ought to be convicted of murder; and I think most hon. Members will also admit that the man who takes away life by an act likely to cause death or grievous bodily harm—for example, by exploding a barrel of gunpowder underneath a crowded room, utterly regardless of what the consequences of his act may be —should also be treated as having perpetrated this heinous crime; but I submit, with confidence, that no acts which in atrocity fall short of these should be considered murder. Accordingly, the code sweeps away all constructive murders, and pronounces the man to be alone guilty of this terrible crime who causes death by such acts as I have described, involving the intention or the utter indifference to results which I have indicated. The second material alteration in the law of murder is upon the subject of provocation. As the law stands, and as I submit it ought to stand, if a man slays another under circumstances of great provocation, the crime is reduced from murder to manslaughter. The provocation does not entirely excuse the act, but it takes away from it the element of malignity. The question, however, arises, what are the circumstances which amount to provocation? The rules of the existing law on this subject are not as perspicuous and as reasonable as they might be. At present, it is, at all events, doubtful whether, with one or two exceptions, any insults, however gross and shameful, if not accompanied by violence or the threat of violence, will amount to provocation, although a mere slap in the face might. It is proposed to make the doctrine of provocation more certain and more in accordance with reason, by enacting that—

> "Any wrongful act or omission of such a nature as to be sufficient to deprive an ordinary person aggrieved thereby of the power of self-control shall be provocation."

If there is such an act as a jury will consider sufficient to deprive a man against whom the act is committed of the power of self-control, that shall be considered a sufficient provocation. In addition to the two alterations in the law relating to homicide which I have mentioned, there are two other changes which have been introduced into the code, and to which I think I ought to revert. In the first place, it is provided that if a woman kills her child—born alive—by an injury inflicted during the birth of the child, or immediately afterwards, but at a time when, owing to distress of mind and agony of body, she is in such a state as not to have complete self-control, although her condition may not amount to a state of insanity, it shall be open to the jury to find against her a verdict of manslaughter, instead of the more dreadful verdict of murder. Practically, this provision will not diminish the severity of the law, but will materially aid in bringing offenders to justice. It is well known that the law is, in fact, unable to secure the punishment of such offences as I have alluded to, for a jury will not convict the offenders. I do not say they are wrong, but the consequence is that this class of crime either escapes punishment altogether, or is put in the same category as concealment of birth, and is visited with a punishment of very inadequate severity. It seems only reasonable that this Assembly of men, who, when legislating for men, are often willing to show great indulgence for human weakness, should view with merciful consideration the condition of poor fallen women, and provide that the act of a woman who consigns to death a creature that can scarcely be said to have lived, in a moment of nervous excitement, perhaps burning shame and intense mental and bodily anguish, shall not necessarily be regarded as the awful crime of murder. I own the provision of the code to which I have just alluded may be open to the objection of not being thoroughly logical; but if it is our lot to be obliged to choose between mercy and logic, let us not hesitate to give our votes in favour of the former. Again, under the present law, it is no offence to cause the death of an infant—I must use this word for want of one more expressive—that has not been thoroughly born alive—that is, in whose system a complete and separate circulation has not been set up, because such child is not by the law considered as a human being. The result of this doctrine is, that if, during the course of birth, the mother or nurse, or any byestander deliberately inflicts a wound or other injury upon the child which is being born, and which prevents its being born alive into the world, although such injury is inflicted with the most wicked and evil intention and motive it is possible to conceive, not only has no murder been committed, but no offence whatsoever punishable under the law by even the mildest sentence. I believe such a state of the law is discreditable and mischievous. The code provides a remedy, and enacts that such injury which would, had it been inflicted on a child completely born alive, have been murder, shall not be murder in deed, but still a most serious offence, and render the perpetrator liable to the maximum punishment of penal servitude for life. I now come to Part VI. of the Code—the part which relates to offences against the rights of property. Under this head falls the law of larceny, or theft. I think it will be found that the code, if it does not work any thorough and radical change in the existing law of larceny, and offences cognate to larceny, nevertheless places such law upon a basis supported by intelligible principles, systematizes and simplifies it, and makes it very easy to comprehend. This branch of the criminal law is at present in a state of most bewildering confusion. It abounds in distinctions without real differences, and in refinements and subtleties which I consider a reproach even to a system of judicature established in a barbarous age, and which lead to nothing but uncertainty and embarrassment, and the frustration of justice. We do away with all subtleties, and deal with all the cases to be found in books. Let me explain. The existing law of larceny consists—(1.) Of rules of the common law which, as applied to present times, are irrational rules. (2.) Of exceptions to those irrational rules, and of further exceptions founded upon these exceptions. (3.) With regard to the punishments imposed for these offences, of many cruel enactments which still exist, and of vestiges and modifications of many more exceedingly cruel and monstrous enactments which have been swept away. By the common law, many things were not the subject of larceny—namely, a great number of animals, all choses in action, and therefore a variety of documents, land, and things growing out of the land or appertaining to it. Then, again, by the common law, to constitute larceny or theft, it was necessary that there should be a wrongful taking—something, in fact, in the nature of a trespass. With respect to punishment by the common law, larceny, as a rule, was a capital offence; but the offender was entitled to the benefit of clergy. It may be that these provisions of the common law were appropriate to the state of society several centuries ago; but it is obvious that they have long ceased to be applicable to the condition of the country in modern times. Unfortunately, instead of removing these rules altogether, and replacing them by others of a more rational character, the course the Legislature has pursued hitherto has been to engraft exceptions upon them, and, when necessity seemed to dictate, exceptions upon exceptions, until at length a state of confusion has arisen scarcely paralleled in the history of chaos. In the first place, numbers of exceptional enactments have rendered various kinds of property the subject-matter of larceny which were not so at common law. Again, the rule that there must be a taking amounting to a trespass has been set aside in effect, sometimes by legal fictions which have been invented for the purpose, and sometimes by positive enactments, in cases where legal fictions were inapplicable. Then, as to the punishment inflicted for theft, the common law, which made it a clergyable crime, was at one time deemed too lenient, and Statutes were passed subjecting the offender in almost every case of stealing to the penalty of death; but, after a time, this terrible severity produced a recoil in the feelings of mankind, and various fresh Statutes were passed mitigating the punishment in cases of theft and fraud, but mitigating it inadequately, and upon no definite and intelligible principle. I think I have said enough to show that, owing to the causes I have mentioned, the law of larceny has been brought into a state of deplorable entanglement, which is certainly anything but creditable to the judicial system of a civilized community. The whole subject is dealt with in a thoroughly effectual manner in a few sections of the 6th chapter of the code. The irrational common law rules have been swept aside—every species of determinate property, subject to certain necessary conditions, is declared to be the subject of larceny; all exceptions and fictions have been got rid of, and it is, in substance, declared that the man shall be guilty of theft who either takes with intent to steal property which is in the possession of another, or with the like intent appropriates to his own use property of another in his own possession, or with the like intent obtains property belonging to another by means of false pretences. With regard to the distinction between stealing and false pretences, by no possibility can any good result from its retention, for both are equally pernicious and criminal acts. In addition to these improvements in the law of larceny, in chapter 6 will be found some alterations with regard to forgery. Under the present law, forgery is dealt with partly by Statute and partly by the common law; various Statutes render the forgery of a great number of specified documents felony punishable with great severity, and the forgery of other documents not enumerated in these Statutes is left to the common law, which declares the act to be a misdemeanour, punishable by fine and imprisonment. It is impossible to read the list of documents the forgery of which is made a heinous offence by the existing Statute, without perceiving how exceedingly incomplete it is, and we cannot help, when contemplating the present law, being struck with the clumsy and unsystematic character of the arrangement which punishes the forgery of a number of instruments specifically with penal servitude, and leaves to an unwritten law of extreme generality and vagueness to punish the forgery of other documents by fine and imprisonment. For example, how strange it must appear that a man who forges a receipt which makes it appear that he has paid 5*s.* more than he really has paid is to be subjected to penal servitude for life, while the man who alters a contract so as to defraud another of, it may be, thousands of pounds, is only to be guilty of misdemeanour, and to be punished simply by fine and imprisonment. Sir, the law of forgery is, by this code, placed upon a sounder footing by alterations which I will not now occupy time by describing; but which will, I think, not fail to be appreciated when they come to be discussed. And now I have mentioned the salient changes in the law with reference to indictable offences effected by the measure which I propose to introduce; but these alterations—I will at once boldly call them amendments of the law—are a small part of the benefit which will be produced by this Bill. In addition to amending the law, the code will, if passed, in a most remarkable manner curtail, condense, and simplify it. The essence of dozens of volumes of text-books, of numbers of Acts of Parliament, of piles of reported cases, will be found in this Bill, which is certainly not more lengthy than several Consolidation Acts which have been passed in recent Sessions. I now wish to say a few words upon the second branch of this Statute—that which relates to procedure. Now, Sir, to commence with, I must state that henceforth there is to be but one course of procedure in all cases. This is not so now, for indictable offences are, as I have said, divided into two classes—felonies and misdemeanours—and a different method of procedure in many respects is resorted to in the case of a man accused of the one kind of crime from that which is adopted with regard to a man accused of the other. For example, the law as to arrest is different in felonies and misdemeanours. So with respect to bail, to challenges, to allowing juries to separate, to joining charges in indictments, and many other matters. For the future, however, these distinctions are to be abolished. There is to be no exceptional or varying procedure; in all instances the course to be pursued is chalked out; in all instances it is the same. That part of the Bill which I desire to bring to the attention of the House, which relates to the question of procedure, not only declares that the procedure to be adopted in this country for the purpose of bringing to justice those who commit indictable offences, shall be the same in all cases; but it goes on to state what that procedure is to be. Every step which has to be taken, from the laying of the information that a crime has been committed down to the punishment of the offender after conviction has taken place, is in this portion of the measure minutely, but tersely and clearly described. Any Judge or magistrate, when he has to consider what course ought to be pursued at any particular stage of the proceedings, will not be under the necessity of trying to discover the law in a number of complicated, verbose, and perplexing enactments, or almost equally perplexing text books; but he will have it all before him, clearly stated in a few short sections of the code, which, if he will read it with intelligence, it will be almost impossible for him to make any mistake. The greater part of the procedure thus described is old. It is the procedure prescribed by the law as it at present stands, and the only merit I claim for the measure I advocate in respect to this old procedure is, that the law is now, for the first time, drawn completely from its various hiding places and laid bare to the public view. It is condensed and simplified, and rendered so plain that it may be said that those who run may read. I say this is the only merit of this part of the work; but this merit is surely one of great magnitude. But although, in the main, the procedure which is described and prescribed in the code is old, still some changes of great importance have been made—changes which have long been demanded, and which, I think, will be highly approved. In the first place, provision is made for doing away altogether with all the subtleties, refinements, and difficulties which formerly arose from the law of venue. Under this code, it will no longer be endured that if a man is proved to have committed a robbery, but it turns out that the crime was perpetrated in county B instead of county A, that, therefore, the prosecution shall fail, and the trial prove abortive. This simple change will at once render useless whole chapters of so-called learning, which, I fear, has benefited no one except the scoundrels. Again, provision is made that if a man proceeds against another by indictment in the first instance, instead of bringing him before a magistrate, the most timely and ample notice shall be given to the accused of the nature of the charge which is made against him, and of the evidence by which that charge is intended to be supported. Up to this time, when an indictment has been, in the first instance, preferred, the accused has only been able to obtain information of the accusation, and the evidence to be adduced in support of it as a matter of favour. Now, he is to be entitled to it as an absolute and undoubted right. There is also a provision made by the Bill enabling the Court to change, if necessary, the place of trial, and to direct, under certain circumstances, and in suitable cases, that the proceedings shall be conducted after the model of civil, instead of criminal, proceedings. The House will at once perceive the importance of such a power. In many cases, the criminal law is set in motion to enforce private civil rights much more than to punish public wrongs. Take the case of indictments for nuisances, for stopping up highways, for impeding navigation, for libel, and so on. In a sense, all these are public wrongs for which criminal proceedings may be instituted; but, in another sense, they are the invasions of private civil rights, and it is only reasonable that the proceedings in respect of them should be conducted in the same manner as in ordinary civil actions. The effect will be that the accused will be able in a criminal proceeding, directed to be tried as a civil case, to give evidence in his own behalf, and the Court will have power to make all necessary orders with regard to costs. As to the accused giving evidence in ordinary cases when the proceedings are not ordered to be conducted after the model of proceedings in civil cases, we have inserted a provision to the effect that any man put upon his trial may make a statement if he choose to do so, and if he does make a statement, he is to be subjected to cross-examination upon it. For obvious reasons, however, we do not provide that a prisoner shall be permitted to give evidence on his own behalf under the sanction of an oath. I pass over some minor changes, and I now pause for a moment to point out that the Bill, in a remarkable manner, simplifies and places upon a reasonable and satisfactory footing proceedings in error. I shall abstain from any endeavour to describe proceedings in error, for it would be impossible for me to explain them in a manner to make myself intelligible to hon. Members who are not lawyers, and even the lawyers would, I believe, if they could only bring themselves to be perfectly honest, admit that the subject is almost a sealed book. It is to be a sealed book no longer, but a book translated, abbreviated, revised, and amended by this Bill. There is a provision on a subject cognate to error to which I wish especially to draw attention. At present, as is well known, though a convicted person may get his conviction reversed on the ground of error in law, he has, in the great majority of cases, no remedy for mistake, in fact; the jury may take an unduly adverse view of the evidence; they may consider circumstances which are really consistent with innocence strongly indicative of guilt; and they may, and perhaps not unfrequently —sometimes even in accordance with the view expressed by the presiding Judge—come to a wrong verdict. *Humanum est errare* is an aphorism applicable to the verdicts of juries in criminal cases as well as to any of the ordinary transactions of life. It is, indeed, startling to consider that at present, whereas a man who has been mulcted in £25 damages in a civil action can obtain a new trial, if the verdict was against the weight of evidence, a man who is convicted of murder by an erroneous verdict, and, consequently, condemned to death, has no such remedy. He can appeal to the clemency of the Crown, and the Home Secretary, whose office it is to advise the Crown, does his best to investigate the matter and to discover the error, if error there be; but he has not the proper means of so doing, for he cannot sift the evidence as it can be sifted in a public Court; and even if he takes a view favourable to the condemned, the remission of the sentence, even if complete, which he advises Her Majesty to make, does not wipe out the stain of conviction, and the degradation — lifelong degradation— which is entailed thereby. I hardly know of a greater reproach to which our system is open than this peremptory and absolute denial of a new trial to persons convicted of crime. Of course, the danger is that if the law is altered, every man who is convicted will move the Court for a fresh investigation; but I do not think this would be the case in practice. However, the Bill avoids the possibility of such a course being pursued, for though it allows an application for a new trial, it does so only under certain conditions, the observance of which will render it impossible that an improper or mischievous use should be made of the provision. In addition to giving the right, with such leave as is prescribed by the Bill, to move the Court of Appeal for a new trial, it is provided that the Court of Appeal in criminal cases, whose decision is at present final, may, if they think proper, allow an appeal from their decision to the House of Lords. Such a provision would seldom require to be acted upon; but in some cases the want of such an enactment has been severely felt, and I may be pardoned if, as an illustration of what I say, I point to the *Franconia* case, which, upon a point of the most serious and vital national importance, was decided in a Court of 13, by a majority of one. Surely, in such a case as this, it would have been most satisfactory if the opinion of the highest tribunal in the land could have been obtained. I might mention many other improvements in the law which the Bill I desire to introduce effects; but I will abstain from alluding to more than one. This last amendment which I shall mention is, to my mind, one of enormous advantage. It is the simplification of criminal pleading. There is, at present, so much technicality in the law, so much refinement and subtlety, so many pitfalls and quicksands, which can only be avoided by the most excessive caution and astuteness, that the greatest difficulty is experienced in framing indictments for offences which are at all out of the beaten track. I would challenge the experience of every lawyer and member of Quarter Sessions in the House in support of my assertion, that at present indictments drawn by the most reliable and experienced lawyers run to a length and assume a complication completely monstrous. An indictment of 50, 60, or 100 counts, contained in a roll of parchment almost as long as this House, is by no means rare. Indeed, if the archives of the Courts were searched, scores of such indictments would be found deposited there every year. Now what is the use of all this particularity? It is necessary now to prevent the possibility of offenders escaping justice; but is there any need that it should be necessary? If these indictments were of any assistance in conveying information to the accused or to the Court, there might be a plea for their retention; but they are not; instead of being any assistance, they are a positive embarrassment; for, in order to be understood, they must be puzzled over with the same intensity of thought which a man brings to bear upon a quadratic equation, or some problem in mathematics even more perplexing still. Our system of pleading in criminal cases is ridiculous in the extreme; but it is worse than ridiculous—it is grievously mischievous, and essentially unjust to the accused. The Bill makes, if I may be forgiven for using an inelegant expression, a clean sweep of all this rubbish, and substitutes for it simpler indictments which will convey all that is necessary to the mind of the Court and the mind of the jury. For technicality it gives simplicity; for verbosity, terseness; and I hope hon. Members will find, for darkness, light. I thank the House for their patience, which I feel conscious I have severely tried by a speech of intolerable length, and I ask leave to introduce the Bill which establishes the Criminal Code.

Mr. HIBBERT said, he did not gather from the statement of the hon. and learned Gentleman that it was intended by the code to make an alteration in the cases which were now necessarily sent to the Assizes for trial—for instance, burglary and bigamy cases. It was hardly the thing that such paltry and trivial cases should occupy the time of Her Majesty's Judges, when they might easily be tried at the Quarter Sessions.

The ATTORNEY GENERAL (Sir John Holker) said, there had been a good deal of discussion amongst the Judges with reference to increasing the jurisdiction of Quarter Sessions, and it was proposed to give power to the Sessions to try burglary cases.

Mr. LEEMAN said, it was quite unnecessary for the Attorney General to make any apology for the very interesting speech with which he had favoured the House. As one who had for 40 years been connected with the administration of justice, he had listened with deep attention to all that had fallen from the hon. and learned Gentleman, and he considered that his proposals would not only be a great alteration, but a great improvement in the law. The changes proposed were of so extensive a character that they would require the gravest possible consideration; and he urged upon the hon. and learned Gentleman the propriety of giving as much time as possible for the consideration of the Bill before its second reading.

Mr. PARNELL expressed the pleasure he had had in listening to the very careful statement which had been made by the Attorney General. Of course, it would be premature at that time to discuss the details of the measure; but he could only say that he considered, in many of the alterations which it was proposed to make, the change would be very beneficial. The hon. and learned Gentleman's intention to abolish the crime of constructive murder was a very valuable one. Some years ago, at Manchester, there was a very remarkable case tried. A number of persons combined together to commit a felony, and six of them were tried for the murder of a policeman who was shot. It was, proved that he was shot by one person, and by one alone, and yet the other five were found guilty of the murder because it was proved that they had combined together to commit a felony—that was to endeavour to rescue prisoners who were being conveyed to prison from the police court. They were all found guilty of the murder; three were executed, one received a free pardon, and two were sentenced to penal servitude for life. These two were still under confinement, and he hoped the Home Secretary would signalize the introduction of the Bill which abolished the crime of constructive murder by liberating them. There was one point which the Attorney General had not considered, and that was the law relating to criminal lunatics. That was in a very unsatisfactory state, as recently shown in the case of the Rev. Mr. Dodwell, and he thought the Attorney General would do well to direct his attention to the subject. He was pleased by the introduction of this measure, and he would do all that laid in his power to facilitate its passing.

Mr. DILLWYN said, the only regret he had was that the Bill was not brought forward at an earlier period of the Session. He considered it the most important measure which the Government had introduced since they had been in power.

Motion *agreed to.*

Bill to establish a Code of Indictable Offences and the Procedure relating thereto, *ordered* to be brought in by Mr. Attorney General, Mr. Solicitor General, and Mr. Secretary Cross.

Bill *presented,* and read the first time. [Bill 178.]

ORDERS OF THE DAY.

ACKNOWLEDGMENT OF DEEDS BY MARRIED WOMEN (IRELAND) BILL.

(*Mr. Meldon, Mr. O'Shaughnessy.*)

[BILL 173.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Meldon.*)

Major NOLAN asked for some explanation of its provisions.

Mr. MELDON said, the Bill was a very simple one, and the reason for its introduction was that doubts had arisen in Ireland with regard to the validity of certain deeds executed by married women. Some years ago, similar doubts existed in England, and an Act was passed to set the question at rest. This Bill merely extended to Ireland the provisions of the Act already in existence in England.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

ELEMENTARY EDUCATION PROVISIONAL ORDER (PORTSMOUTH) BILL.

On Motion of Lord George Hamilton, Bill to confirm a Provisional Order made by the Education Department under "The Elementary Education Act, 1870," to enable the School Board for Portsmouth to put in force "The Lands Clauses Consolidation Act, 1845," and the Acts amending the same, *ordered* to be brought in by Lord George Hamilton and Sir Henry Selwin-Ibbetson.

Bill *presented,* and read the first time. [Bill 179.]

House adjourned at a quarter after One o'clock.

HOUSE OF COMMONS,

Wednesday, 15*th May,* 1878.

MINUTES.] — Public Bills — *Ordered—First Reading*—Local Government (Ireland) Provisional Order (Artizans' and Labourers' Dwellings) (Cork) * [180].

Second Reading — Borough Franchise (Ireland) [141], *put off;* Queen's Colleges and University (Ireland) [26], *put off.*

Select Committee—Freshwater Fish Protection * [131], *nominated.*

Committee—Report—Acknowledgment of Deeds by Married Women (Ireland) * [173].

Third Reading — Public Health Act (1875) Amendment * [144], and *passed.*

ORDERS OF THE DAY.

BOROUGH FRANCHISE (IRELAND) BILL—[Bill 141.]

(*Mr. Meldon, Mr. Butt, Mr. Gray, Mr. Maurice Brooks.*)

SECOND READING.

Order for Second Reading read.

Mr. MELDON, in moving that the Bill be now read a second time, stated that he had on three previous occasions discussed at length the question involved in the Bill on Resolutions which he had brought before the House. He went into the facts and figures upon those occasions, and he submitted that he established an overwhelming case for this amendment of the law. He would not attempt again to go over the well-worn ground; but would confine himself to pointing out the way in which the Bill differed from those Resolutions. In those Resolutions, he had asked the House to declare that the law relating to the Borough Franchise in Ireland should be assimilated to that of England and Scotland. He would now show the different state of things existing in Scotland and England, as compared with what was the case in Ireland. In Glasgow there was a larger constituency than in 31 boroughs of Ireland. The population of Glasgow was 477,732, and the constituency 60,582; while, in the 31 boroughs of Ireland, the population was 882,146, and the constituency only 54,218, or, in other words, the electors of Glasgow exceeded by about 6,000 all borough electors in Ireland. The same thing held good with regard to England; for in Birmingham the constituency was 63,000, in Liverpool 61,146, and in Manchester 62,813, as against 54,218 in the 31 boroughs of Ireland. He had, in his former Resolutions, asked the House to extend the principle of household suffrage prevalent in England and Scotland to Ireland; and while it was hardly contested that Ireland was entitled to equal rights with England, it was argued on the other side that there were in Ireland a very large number of houses valued at very small sums, and consequently there was no analogy between the occupiers of those houses and the householders of England and Scotland, where it was stated no houses were rated under 26*s*., while in Ireland there were ratings at 5*s*., and less. The opponents conceded that there might be some enlargement of the franchise in Ireland; and as this was a House of compromises, he and his Friends were determined, without giving up any vital principle of the Bill, to meet hon. Members opposite, and especially those from Ireland, half-way, for the sake of conciliation. The Bill proposed to entitle all persons occupying houses rated at £1 and upwards to the franchise, which really brought it to the point at which the franchise ceased in England; because, although the franchise was 26*s*. in England; the valuation of Ireland was one-third of the rental, and, consequently, the two franchises would practically be the same. He regretted that the hon. Member for Belfast (Mr. J. P. Corry) should have thought it his duty to put on the Paper an Amendment intended to procure the rejection of the Bill, and he confessed he had been the more surprised at opposition from such a quarter, when he remembered the support given to his former Resolutions by Mr. W. Johnston, who was one of the strongest Conservatives in that House, and who at the time referred to was one of the Members for Belfast. The following figures would show the effect of the proposal contained in the Bill. There were in Ireland 14,280 sets of premises rated at £1 and under; 1,077 of these belonged to the disfranchised boroughs of Sligo and Cashel, and, consequently, as it was not intended to include these, the number to be taken into the estimate was reduced to 13,203, of which 1,372 were to be excluded as being within the two disfranchised boroughs, and therefore the total number of premises that would be affected by the Bill would be 40,250; but it was usual to deduct one-third for double holdings and female occupiers, and this would leave about 27,000 who would be enfranchised by the Bill. In Belfast there were 20,005 electors, and 8,813 tenements rated at between £4 and £1; so that, deducting one-third of this number, the Bill would enfranchise 5,876 persons in that borough. It had been said that if household suffrage were granted in Ireland, the present electors would be swamped. Now, in England and Scotland the Reform Act of 1867 had added one-third to the former constituency, whereas in Belfast only 5,876 would be added to a constituency of 20,000. Without going further into details on this question, he would conclude by observing that, to take away every excuse from the opponents of the Bill, he had proposed to meet them in this way—namely, a rental of £1 a-year, and that would exclude all that class of persons to whom objection was taken on former occasions. He begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Meldon.*)

MR. J. P. CORRY, in rising to move that the Bill be read a second time that day six months, said, that as reference had been made to his late Colleague, Mr. Johnston, as a supporter of the Resolutions moved by the hon. and learned Member for Kildare (Mr. Meldon), and as it had consequently been suggested as rather strange that he (Mr. Corry) should have given Notice of a Motion for the rejection of the Bill, he wished to say that his late Colleague was one who exercised his own right in these matters, and, further, that to his (Mr. Corry's) knowledge there was no vote which had been given by Mr. Johnston that had given more offence to his constituents than his vote on the Resolution referred to. Consequently, he did not think he was out of place in moving the rejection of the Bill. He had had the honour of being one of the Representatives of one of the largest borough constituencies in Ireland, and when he saw the present Bill and the way in which it would affect that constituency, he thought he was only doing his duty in opposing it. It was true that he was one who very seldom took part in the talking done in that House; but, at the same time, he always endeavoured to the best of his ability faithfully to discharge his duty in all matters coming before it. He had read the Bill under discussion, and had seen in what respects it differed from the Motions which the hon. and learned Member for Kildare had so frequently brought before the House, and he certainly thought that it was being offered in the way of compromise; but, at the same time, the compromise was one which he could not see his way to accept. There was no doubt that the hon. and learned Member for Kildare was very active in his attempts at legislation, and he had been particularly fortunate in getting days for the discussion of the proposals he had had to submit. On the present occasion, he had by some good fortune been enabled to clear the way of several Orders that would otherwise have stood in front of his Bill, and he was to be congratulated on this fact; but with regard to the question raised as to borough constituencies, the Preamble of the Bill said it was expedient to extend the Parliamentary franchise in the towns and boroughs of Ireland; but he did not think it would be expedient, even in Belfast, to extend the constituency to the extent proposed by the Bill. It was doubtless true that the number of tenements of between £1 and £4 rating that would thereby be introduced was 8,800, but the value of those ratings amounted to £25,400; whereas the valuation above this amount came to upwards of £400,000, showing a very considerable difference in the two classes of property. He did not know how it was that in Belfast they had so large a constituency compared with Dublin and other places; but, perhaps, it arose from the fact that they found very little difficulty with regard to registration in Belfast, and he thought it possible that if greater care were observed in regard to this matter in Dublin and elsewhere, the number of voters on the register was capable of being very considerably increased. To show a difference of rating in Ireland and Great Britain, he found that in Limerick there were 17,000 houses rated at £1, while in England and Scotland there were none under £3. He did not know how the hon. and learned Member for Kildare could justify his statement that in Great Britain the rating went down as low as 26*s.*, because his (Mr. Corry's) information was that it did not go below £3. He was sure that, with regard to Belfast, if his constituents thought it desirable to reduce the franchise as proposed by the Bill, they would not be slow to inform himself and his hon. Colleague of their wishes in the matter; but he had not received the slightest representation on the matter. No doubt, there were a great many persons who were anxious to get what they did not now possess; but whether they were entitled to all they asked for was quite another question. In his opinion, the comparisons that had been instituted of populations and constituencies was fallacious and likely to mislead. The hon. and learned Member for Kildare had referred to the fact that the constituency of Glasgow was larger than that of all the boroughs in Ireland, and doubtless this was this case; but, on the other hand, it must be borne in mind that the rateable value of houses in Glasgow was very much higher than in most of the boroughs of Ireland; and the artizan who left Belfast and crossed the Irish Sea, although without a vote in the place he had left, would not acquire one on reaching England or Scotland. His (Mr. Corry's) opinion was, that what they wanted in Ireland was more in the direction of re-distribution of seats than in the way of extending the franchise, and he should not object to see Her Majesty's Government take up some scheme for such a re-distribution as they might deem necessary. In that case, they who belonged to the North of Ireland might look for a considerable accession to the number of Representatives returned in comparison with the other parts of Ireland. The population of the North of Ireland was as large, if not larger, than that of any other part of the country. Another point to which he wished to call attention was the fact that if this Bill were carried, those who would be enrolled on the franchise in many of the boroughs would be considerably below the class who now exercised the franchise in Ireland. On a former occasion, the hon. and learned Member for Kildare had said that in Ireland the constituencies were very pure, and he (Mr. Corry) had no reason for saying anything to the contrary; but he was afraid, from what he knew of the Irish character and the influences which might be brought to bear upon those who might be admitted under this Bill, especially with regard to a drink they were rather fond of, that a good many might be influenced in this manner. It was well known that in Galway the population was decreasing, and in many boroughs now sending two Members to Parliament, it might happen that a re-distribution of seats would have the effect of striking off one of the Members. He should be sorry to see either of the present Members for Galway without a seat; but still, if there were a re-distribution of seats in Ireland, he did not think it would be held that Galway was entitled to send two Members to that House. He was glad to be able to admit that the Bill brought forward by the hon. and learned Member for Kildare was not so sweeping in its character as the Resolutions he had previously proposed; but, at the same time, he did not think that there was any ground for the large addition it would make to the constituencies. There was no doubt that the hon. and learned Gentleman had thrown out a sop to induce that—the Conservative—side of the House to accept the compromise he offered; but, at the same time, it was to be hoped that hon. Members on that side would not be carried away by such an offer. He remembered that, some time ago, the hon. and learned Member for Taunton (Sir Henry James) had brought in a Bill relating to polling places, and the hon. Member for the County of Cork (Mr. M'Carthy Downing) had opposed its extension to Ireland on the ground that the number of polling places in such a county as Cork would be so much increased that the cost would be materially increased also. Consequently it was clear that his hon. Friends opposite did not in all cases wish to have equal privileges with England and Scotland. He would not further take up the time of the House, but would conclude by moving that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. James Corry.*)

Question proposed, "That the word 'now' stand part of the Question."

DR. WARD said, he was one of those who had just been threatened with the loss of his seat if the measure were passed; but, even if this result were to follow—and he did not think it would, inasmuch as the number of electors that would be added to the present constituency of Galway would be sufficient to entitle it to continue its present representation—he hoped that neither he nor his constituents would make that result a ground for opposing a measure that would tend to the general advantage of the country. He was surprised at the position taken by the hon. Member opposite (Mr. Corry) with reference to this Bill. His late Colleague, Mr. Johnston, supported a Resolution much wider than this Bill. Mr. Johnston said, on the occasion referred to, that he regarded the demand as fair, and such as the Conservative Party ought to concede. This Bill would promote Conservative interests and constitutional rule in Ireland. It would bring within active limits of the Constitution a large number of people who had occasionally resorted to unconstitutional means. He was sorry to hear an Irishman say that the class which the hon. and learned Member proposed to enfranchise was lower intellectually than the voters in England. The artizans of Ireland would compare most favourably with the artizans of England. To cast a slur upon his countrymen was an unworthy position for the hon. Member opposite to take up. It showed that he had no argument at all against the Bill. To say that if this Bill were passed elections in Ireland would be vitiated by drunkenness was to advance a most atrocious argument. The promoters of this measure did not ask the House to swamp the present constituencies, but simply desired to add about one-fourth to them; in other words, they wanted Parliament to give to Ireland what it had already granted to England and Scotland. If that constitutional privilege were withheld, the refusal would put arguments into the mouths of persons in Ireland who said that Parliamentary warfare was hopeless, and that to unconstitutional action alone they must look for what they considered as their rights. The result would be that those hon. Members who stood up for constitutional action would be at a discount before the people in Ireland.

Mr. BRUEN protested against the argument of the hon. Gentleman who had just spoken, that a man was outside the Constitution who had not got a vote.

Dr. WARD: That is a very serious error. What I said was, that this Bill would bring a large number of people more actively within the Constitution.

Mr. BRUEN: With all respect to the hon. Member's correction, though he did not state it so broadly as he (Mr. Bruen) had, yet his argument was based on that. He contended that the franchise was not a right, but a privilege; and that, therefore, no man had any ground for saying he was deprived of his right if he had not a vote. It was a principle of the Constitution that those who had raised themselves to a fit place in society and were in possession of certain qualifications should be admitted to the franchise, and not till then. Those who opposed this Bill wished to preserve that principle. The hon. Member for Galway taunted the opponents of the Bill with throwing dirt on their countrymen, because they said that some of the people of Ireland were not in a position to be admitted to the franchise. The opponents of the Bill, in saying that, no more threw dirt on their fellow-countrymen than did Englishmen throw dirt on their fellow-countrymen when they said that universal suffrage was not a thing to be granted in England. No doubt, a great improvement was going on in the social condition of the working classes; but he held that they must make considerably more progress in that direction before they could give proof of their being on the same level as the working classes in English towns. If the Bill were passed, it would nearly double the number of voters in 29 boroughs, excluding Dublin, Belfast, and Cork. In those 29 boroughs the number of houses of about £4 rateable value was 24,463, according to a Return made in the year 1874, while the number between £1 and £4 was 22,592. It was said that the rating gave no idea of the real value. He did not deny that the rateable value in Ireland was fixed at a somewhat lower standard than the rateable value in England; but there was not so much difference between the two as hon. Members had alleged. Within the last few years he had built several cottages, each containing three small rooms for labourers. The valuation of the cottage was £2 a-year, and the rent was 1*s*. a-week. In the better class of houses the rateable value and the rent more nearly approximated. The Bill would enfranchise a class who would be predominant at elections, and who would very soon use their power in a way that would not be conducive to the good of the country. He would further remind hon. Members that the House, after having tested the working of an Act which lowered the qualification for jurymen in Ireland, had been obliged to retrace its steps and repeal the measure. The argument had been used that a great injustice was done to Ireland by reason of the fact that, in relation to the franchise, she was not in possession of those privileges which England enjoyed. Was Ireland, however—viewing the matter from the population point of view—in a worse position than England? The borough population of Ireland at present was about 600,000, and it was represented in Parliament by 37 Members. There was, therefore, a Member for each 16,000 inhabitants; while in England, although he was not able to state the exact figures, he believed the average of borough population to each Member was very much larger. Liverpool, Manchester, and Glasgow had an aggregate population of upwards of 1,000,000, and possessed only nine Members, whilst 600,000 borough electors in Ireland had 37 Members. He did not wish to sanction the theory that the number of Members should be in proportion to population; but that principle had been enunciated in Parliament, and was not theoretically unreasonable. Ireland, in his opinion, had quite her full share of power in the House of Commons at the present moment; and if the question of a reform of this kind were raised, it would probably result in depriving her of many of her present Members. The only persons who had a right to complain were the 30,000 or 40,000 persons who lived in houses below the value of £4, and had no vote. Yet, after all, had they complained—had they even sent up one single Petition? He did not believe that they had done so, though, considering the number of Petitions presented in reference to the Sunday Closing Bill, it could not be said that the Irish people at large ignored their constitutional right of expressing their wishes by Petition. The truth was that no grievance was felt, and the constituents were satisfied that no injustice was done them by the existing state of things. The agitation that had been got up was fictitious, and the Bill itself was only a peg on which to hang patriotic speeches. Hon. Members on that side of the House were perfectly justified in saying that they would not consent to the admission of any persons to the enjoyment of the great privilege and power of the franchise until complete proof was forthcoming that they were fitted to exercise it by independence of thought, by thrift, industry, and the possession of all those qualities which raise a man in the scale of society. It was for the benefit of the whole country that they should have constituencies on which they could place the most perfect confidence and reliance. If they were to reduce the franchise as low as hon. Members opposite wished, that confidence in the constituencies which they ought to possess would vanish.

MR. KAVANAGH, out of no spirit of Wednesday obstruction, wished to say a few words. He was sorry to be obliged to oppose what he might call a popular measure; but he had strong objections to the Bill, which would not allow him to remain silent. In the first place, it was a measure of too much importance to be dealt with by a private Member. It was part and parcel of a Reform Bill, and left untouched the question inseparably connected with it—that of the redistribution of seats, without which no measure of reform would be final or satisfactory. That, he knew very well, was a difficult question; but it could not be left unconsidered, and as it was probable that, if the question of a redistribution of seats was dealt with, Ireland would lose a good many of her Representatives, he did not wonder that hon. Members opposite abstained from raising it. But Parliamentary Reform could not be treated in a fragmentary manner; and, consequently, while he was prepared to support a complete Government measure, he could only protest against a private Member's Bill, which seemed to be neither called for nor beneficial. Again, he did not believe that the Bill was desired by the lower classes themselves; on the contrary, he thought they cared very little about it. In looking over old debates on the subject, he had come on a speech delivered by the junior hon. Member for Limerick, who, on a former occasion, had admitted that there was "apathy" on the question. That word had been very correctly used to describe a condition of things in which, even among those who were entitled to vote, many never took the trouble to have their names placed on the register. In his belief, the desire for the reduction of the borough franchise came, not from the people, but from those who hoped to make the people their tool. He felt strongly on the subject, and had for a long time been a close observer of Irish affairs; and it was well known that there was a class of men, the aim and object of whose lives were to foment and create discontent, and who lived, he might say, by agitation. There were such men in all countries, but Ireland seemed to have Benjamin's share of them. The hope of the lives of these men was gone when peace and tranquillity prevailed. The aim of some of these men was to invent grievances, painting them in the most glowing colours—in colours that would take the fancy of those for whom they were prepared. Thus the land agitation was got up for the farmer class, and this about the franchise for those who lived in towns. The masses were told that they were degraded slaves, groaning under an iron yoke. They had been told to-day that those who had not the franchise were placed outside the pale of the Constitution. How they were thus placed outside it he did not know. No doubt, that was a pretty picture to those who did not understand the question at issue. The people were told that their only hope of emancipation from those galling chains lay in the selection of those who had painted their grievances as their Representatives in Parliament. The lower they went in the social scale the more ignorance and gullibility they would find; and these were, in his opinion, the real and fitting tools to serve the purpose of those who lived upon agitation. The question which had to be decided was, whether by lowering the franchise those who were engaged in this agitation would have fresh ground to work upon and more malleable tools to work with? The cry for the change came, not from the people, but from those who excited and, he was sorry to add, deluded the people. However that might be, he would, as he had said before, be quite ready and willing to withdraw all opposition on his part if the Government considered it wise and expedient to extend the franchise in Ireland. He should only be too glad to be convinced that the evils which he apprehended were the creation of his own imagination, and that the majority of the Irish people were in a position to exercise these responsible privileges. He could not understand how the present constituencies were in favour of the Bill; and if they only reflected that its effect would be to take from them the power which they now possessed, they would think twice before they abdicated their position. He would much prefer, if it were in his power, to support measures of this kind; but, while he had serious doubts in his own mind as to their result, he could not accept such reforms on the responsibilityof a private Member.

Mr. GOULDING strongly objected to the Bill, as tending to establish in Ireland a state of things which would amount to little less than universal suffrage. It was a measure, he thought, which was fraught with danger, inasmuch as its effect would be to place political power in the hands of men who, possessing no influence themselves, would be likely to be influenced by others to a very great extent. That feeling seemed to be shared by hon. Members opposite, for no reply had been made to the speeches made by those who spoke against the Bill. He was sorry to hear it said by the hon. Member for Galway (Dr. Ward), that, if the Billwererejected, he must go back to his constituents and say that it was vain to hope for anything from a Conservative Government. He believed that on either side there was every desire to do the best for Ireland; but the Bill had not been asked for by the people of Ireland, and, in his opinion, would be useless and dangerous.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, that the position occupied by this Bill was one of the most remarkable that had occurred in recent Parliamentary history. A few days since the Bill stood seventh on the Order Book; but a notice appeared in an Irish newspaper announcing, without saying how and why, that the first six Orders of the Day would vanish, and, accordingly, there stood the Bill—the first Order on the Paper. Considering that the Bill was of great importance to Ireland, and knowing the deep interest that Irish Members took in many English questions, and the share they took in their discussion, it might have been expected there would have been a desire to thoroughly discuss the subject of the Bill. But what had been the course taken? Three speakers had in succession argued against the Bill, and hon. Gentlemen opposite had listened with that courtesy in which they were never wanting; but he could not compliment them on anything else. The hon. and learned Member for Kildare (Mr. Meldon), on introducing the Bill, referred to previous discussions on the question. On three occasions the question of the borough franchise in Ireland had come before the notice of Parliament by Resolutions, and upon the last occasion the hon. and learned Member, passing by the question of re-distribution and the other circumstances connected with the subject, and requiring consideration, asked the House to affirm that it was desirable immediately to assimilate the borough franchise of Ireland to that of England. On that occasion, he (the Attorney General for Ireland) pointed out some of the difficulties requiring consideration before the question could be disposed of, and the hon. and learned Member must have felt the gravity of some of the objections then urged; for the Bill admitted the principle that the circumstances of the Irish were not identical with those of English boroughs. The existence of the limitations in the Bill conceded that principle, and it must be borne in mind that between the boroughs of the two countries there was a clear difference of condition and position; but, though the framers of the Bill would seem to have recognized the difficulties of making the franchises identical, the important difficulties which beset the question had not been solved. No one with the slightest acquaintance with the constituencies of Ireland would deny that little interest was taken in the subject. That apathy might be excused and explained by saying that public opinion had not been educated to it, or had been directed to other things; but there was no doubt the apathy existed—a fact not unimportant, bearing in mind how in the public Press of Ireland all shades of opinion were adequately represented. He did not attach much importance to the signatures to Petitions; but Petitions, at the least, were evidence of the existence of sufficient interest among a number of people to get them up, and upon this matter Petitions were very few. During the progress of the present debate, hon. Members who ably represented and influenced Ireland had been silent; but if the question had been one awakening deep interest in the country, would they not be rising six at a time to address the House? On questions of land, upon the Estimates, and other subjects, there was no lack of expression of opinion from Irish Members; but for the last hour no one opposite had spoken in support of the Bill, a circumstance he considered as indicating the interest taken in it. The Bill was a Reform Bill, to introduce substantial changes in the representation of Ireland, and required full consideration; and could the House of Commons give that consideration at such a time in the Session? What was the necessity for the Bill? Did not every Irish grievance find a means of discussion in the House, and had any person any difficulty in getting his wrongs investigated? And what did the Bill do, or, rather, what did it not do? It had always been considered that, in dealing with this question of franchise, the re-distribution of seats was a part of it, and not to be ignored. Sooner or later the re-distribution would have to be made, and should be made at the same time with an alteration in the franchise. It was instructive to consider the proportion of Irish boroughs, their population, the number of electors, and the numbers they possessed as compared with other parts of the Kingdom. In 1871, taking England first, the population of the counties was 11,270,000, and of the boroughs 10,225,000, and the county Members 172, and borough Members 287. In Scotland the county population was 1,873,000, that of the boroughs 479,000, and 32 Scotch county Members, and 28 for boroughs. But there was an extraordinary difference in the figures as regarded Ireland. In 1871 there was a population in Irish counties of 4,546,000, and boroughs 886,353, represented by 64 county and 39 borough Members. The position of the English as compared with the Irish towns must suggest this observation. In England the towns were large centres of industry and trade, growing in importance, and new centres springing up year by year; while, on the other hand, Ireland was an agricultural country, and, including Dublin and Belfast, there were only six towns with a population exceeding 20,000. Some of the boroughs, which historically and by their Representatives occupied a distinguished position, were actually declining in population. A Return issued last year showed the growth or decrease of the population in several towns during nine years, from 1868 to 1877. Galway enjoyed the luxury of two Representatives, and he should be sorry to see either lose his seat. In 1868, the year after the Reform Bill, the population of Galway was under 20,000, and the number of electors 1,381. In 1877 the number of electors had declined to 1,354. New Ross, with a population of 7,000, had declined from 259 electors in 1868 to 218 in 1877. Tralee showed a slight increase. Waterford, with a population of about 30,000, had 1,481 electors in 1868, and in 1877 only 1,414. In Wexford the number of electors had fallen from 520 in 1868 to 508 in 1877, and Youghal showed a fall in nine years from 278 to 256. Those figures proved how wide was the divergence between boroughs in Ireland as compared with those in England; and it was obvious that, in any measure for a re-distribution of seats, some of the former would have a very severe struggle for existence, and could only be maintained by being grouped together. It was evident, then, that the question of re-distribution must be dealt with, with a view to its settlement, at the same time as a change in the franchise was effected. It must also be borne in mind that the Irish borough franchise had been dealt with very recently. The electoral qualification had been reduced in 1867 from £8 to over £4, a change which had the effect of greatly increasing the number of borough voters in Ireland. Belfast furnished an important illustration of the way in which the existing franchise in boroughs might work, and it was to be observed that, whenever they had a town in Ireland which could fairly be compared with the great centres of industry in England, precisely the same features would be found. The constituency of Belfast in 1866, the year before the present franchise was established, was under 4,000; now, when the £8 rating franchise was reduced to £4, it was over 20,000; and, for all he knew, if the town went on increasing in population, and wealth and self-reliance, in the future as in the past, both the population and the constituency would largely increase in the next few years. This Bill stopped short of lowering the franchise in Ireland to household franchise. It conceded that there were many difficulties besetting the reduction of the franchise in Ireland to a household rating, as in England, and that it was a matter requiring to be considered from a great many points of view. In other words, it was a most difficult problem, and the grave question for the House to consider was, could it be solved by the Bill brought in by the hon. and learned Member for Kildare? Had he overcome all the difficulties of the question by passing by not only the re-distribution of seats, but by stopping short at a £1 rating? The only argument which had been attempted to be dealt with by the hon. and learned Member was that household suffrage in Irish boroughs would enfranchise such a very low class of householders, who had no analogous class in England, and who would completely swamp the better class of householders. It was conceded that it was a difficulty which should be met, and the argument now presented to the House by the hon. and learned Member for Kildare was that he had considered the difficulty, and met it by fixing the limit at £1. He denied that that suggestion met the difficulty. He had selected seven or eight boroughs in a long Return. In Belfast, with 33,000 inhabited houses, there were 1,447 houses rated between £1 and £2, representing a very humble residential standard, and they knew that humble and wretched as some of those houses must be, they were inhabited not only by one, but sometimes by two or three or four families. He admitted that 1,447 of such houses was a small proportion in a town like Belfast, and if the question was to be governed by the proportion in Belfast, that circumstance ought not to have a controlling effect in its settlement. But in the smaller boroughs the number of such houses was very remarkable. In Clonmel, out of 1,308 inhabited houses, 462 were rated between £1 and £2. In Cork, out of a total of 10,798, no fewer than 2,583 were so rated. In Dublin, where, as in Belfast, the houses were generally large, the number of inhabited houses was 24,400, while there were 1,306 rated between £1 and £2. In Dungarvan there were 1,362 houses, of which 557 were rated between £1 and £2. In Galway, out of 2,271, 442 were so rated; there were 961 rated under £1, and 352 as low as 5*s*. In Limerick there were 5,430 inhabited houses, of which 1,305 were rated between £1 and £2, and 1,158 under £1. In Waterford, out of 3,624 inhabited houses, the number rated between £1 and £2 was 1,091. He quoted these figures to show that in legislating on this subject there was a very substantial number of householders who would have to be considered. It might be said that household suffrage in England had not swamped the constituencies. But, assuming that in England the limit had been £4 instead of £10, household suffrage would have added only one-fourth, or possibly one-fifth, to the borough constituency; while in Ireland, in 30 out of 34 boroughs, it would more than double the electoral roll. Of course, that was a circumstance of extreme importance, and suggested some of the difficulties which surrounded the question. This Bill admitted that there were difficulties in the way of dealing with the borough franchise in Ireland which did not apply to England, but yet the Bill ignored these difficulties. Such a Bill should not lose sight of the important question of the re-distribution of seats. It was a Bill which, having carefully considered it and weighed the few arguments which had been presented to the House in its favour, he was unable to support. It was not a complete Bill, and he considered it most undesirable that such a question should be dealt with in a fragmentary and imperfect way. Whenever the question was seriously grappled with, all the difficulties should be acknowledged, and an honest attempt made to deal fairly with them.

MR. GREENE observed that as hon. Gentlemen on the opposite side were silent on the question, he supposed they did not take a deep interest in it, for it was very rarely that Irish measures passed *sub silentio.* He was opposed to this Bill, as he had been to the English County Franchise Bill, not because he could bring any argument to show that a man on the opposite side of a street who might be outside the boundary was unfit for the franchise while his neighbour was fit to exercise it, but because he objected to throwing all the electoral power into the hands of one class. He was old enough to remember the glorious times, when in the borough of Bury St. Edmund's, which he had the honour to represent, 32 gentlemen elected one another and also elected the Members to serve in Parliament. But it was a curious fact that the same constituency, when it had the £10 franchise, elected, in the main, Members of the same politics as before, one and one, until the last General Election. If hon. Gentlemen opposite wanted to lower the franchise, they must submit to a re-distribution of seats, and then they would have 20 Members fewer than they had now, and he would leave it to themselves to say who were those who should have to retire. Hon. Gentlemen often said they wanted to have Ireland treated uniformly with England. But the fact was, Ireland was more favourably treated—she was the favoured nation. They had not to pay the horse tax in Ireland. It was true we did not pay a horse tax in England now, but they did not pay it in Ireland when we paid it in England; and they did not pay so much for dogs. The lower classes were likely to be influenced by others, and in Ireland there were the priests. Besides, the supporters of the Bill, he thought, had been a little inconsistent, seeing that while they would not give the masses of the people credit for ability to stop their drinking propensities on Sundays, they were endeavouring to place the power of electing Representatives in the hands of those same masses. Were those the classes who should have the power of deciding on war or no war? If he were to go to Ireland, as he was thinking of doing, were these men to decide whether he would be a fitter Member than the hon. Member for Galway? Even the right hon. Gentleman the Member for Birmingham, the cause of whose absence they all regretted, objected to the residuum. He believed this Bill was being advocated, not on the ground of defending the rights of the people, but for the purpose of increasing the numbers of the Liberal ranks. There were 50 boroughs in Ireland, inhabited by 70,000 male occupiers holding houses at £1 per annum rating, and he did not see how those men could be admitted into the electoral body unless there was at the same time a re-distribution of seats. He wondered at the silence which prevailed upon the part of the Irish Members upon this, which was most emphatically an Irish question; and he had only to express a hope that they would exercise a similar amount of reticence in respect to measures which had no relation whatever to Ireland, as, in that case, the House would be able to get through a much larger amount of Business than at present. He had no wish whatever to limit the speeches of hon. Gentlemen who were opposed to him; but, as a master of foxhounds, he could not help thinking that the position of the Liberal Party, at the present moment, was that of one who proposed to hunt over a particular district of country with a pack in which beagles, harriers, and foxhounds were associated with each other, so that it was impossible to keep them upon one scent. That was at present the position of the Liberal Party. Before extending the franchise to the lower orders, he wished to see the people educated up to a full knowledge of the responsibility which attached to the due exercise of it. In conclusion, he disclaimed offering anything like a factious opposition to the Bill, as he was actuated by the most kindly feelings towards the Irish people.

SIR JOHN LESLIE said, that hon. Gentlemen opposite were like fish in the river—they did not rise because it was not a good fishing day. From his own experience he could state that the people of Ireland, if they were canvassed at this moment, would oppose the lowering of the franchise in the mode proposed by the hon. and learned Member for Kildare. The people of Ireland knew well that a household franchise in Ireland would not bear the test of comparison with the same franchise in England. He was surprised that no answer had been made to the able, argumentative speech of the Attorney General for Ireland. He remembered the day when the hon. and learned Member for Limerick (Mr. Butt) introduced a Bill similar, in many respects, to the one which was now engaging the attention of the House. There was no such apathy on that occasion; but he recollected well listening with the greatest interest to what, in his opinion, were admirable arguments—an unmistakable sincerity of argument—of the hon. and learned Member for Limerick. Had the hon. and learned Member been present, he certainly would not have sat with his arms folded and his tongue tied without an effort to speak, but would have met with argument any argument that was offered in opposition to what he believed to be for the interest of Ireland. Those days appeared to have gone by. He regretted it exceedingly. The Party opposite were now obviously without a head. Formerly, they had at their head a man of transcendent ability and of superior intelligence and knowledge, and to willingly deprive themselves of such a Leader, as they had undoubtedly done, appeared to him to be an act of political suicide. Was he there to-day? He wished the hon. and learned Gentleman had been present to have illumined the proceedings, and to have carried them away by his eloquence; but had he no follower who would take his place? He knew there was ability. Had it been done? No. The people of Ireland would know to-morrow, and he doubted not would be very much disgusted when they learned how they had been deserted by those hon. Members who came there on the express understanding that they were to introduce a new policy—a policy of action and of energy. Where was the hon. Member for Meath (Mr. Parnell)? Had the hon. Member for Cavan (Mr. Biggar) disappeared altogether? They must look to the wisdom of these great minds—they must look to the experience and wisdom of these great minds—and he would also add he thought the name of the eminent scholar, that discreet and most amiable Gentleman, the hon. Member for Dungarvan (Mr. O'Donnell)—for beneficial legislation. In the future, they ought to come forward and endeavour to replace the great loss the Irish Party opposite had sustained by what he hoped was only the temporary absence of the hon. and learned Member for Limerick. Should the hon. and learned Gentleman return, there was no doubt that the House of Commons would not have to wait long for an argument in favour of the borough franchise. ["Divide!"]

Mr. OWEN LEWIS rose to address the House, and was called upon by the Speaker. There were loud cries of "Divide, divide!" and the hon. Member resumed his seat.

Mr. SPEAKER remarked that it was hardly respectful to the House that when he had called upon an hon. Gentleman desirous of speaking, that hon. Gentleman should immediately resume his seat.

Mr. OWEN LEWIS, who was indistinctly heard, was understood to say that no sound argument had been urged against the Bill, and he failed to see why so mild a measure had excited so large an amount of opposition.

Mr. ALFRED MARTEN said, he observed that in the Notice Paper till yesterday several other measures had preceded this Order, and it might have been expected that when the Irish Members had, by their combined exertion, obtained precedence and secured a whole day for the discussion of this measure, there would have been no lack of speakers on the other side. But they had apparently been suddenly struck dumb. The House had now been for several hours engaged not in debating, for the argument had all been on one side, but considering what conclusion should be come to on the subject. Hon. Members opposite had not brought forward a single argument in support of this measure. This could not be accidental, it must be the result of combination. That alone was a sufficient ground for the rejection of the measure. The measure was of the first importance, and would, if adopted, greatly increase the constituencies of Ireland. That being the case, they had a right to ask for the fullest possible statement of the reasons for its being brought forward. The Bill now before the House made no provision for a re-distribution of seats. It had now become a necessity of any measure for a reduction of the franchise that it should be accompanied by a re-distribution of seats, and hon. Members from Ireland were bound, if they desired to present to English Members a scheme of Reform which should improve the representation of Ireland, to bring forward some scheme dealing with the small boroughs in that country.

MR. EWART said, that on account of the different position of the people of Ireland, the very large proportion of the poorest class, and the deficiency of a middle class, the practical result of this Bill would be most unfair. It would transfer the balance of power to the hands of those occupying houses at from £4 10*s.* to £5 per annum in value—it would also create a constituency which would be socially inferior to the majority of the constituencies in the other parts of the United Kingdom. Then, he thought, in dealing with the clauses affected under Section 39—or the larger portion of the Bill—it would be very unfair to deal with them in a fragmentary manner. In short, the passing of the Bill would bring about such a state of things, that he must vote against it.

MR. R. E. PLUNKETT said, he did not think the supporters of the Bill had shown proper respect for the House by abstaining from answering the arguments of those who had spoken against it on the Conservative benches. The attitude of hon. Gentlemen opposite had been throughout the discussion essentially undignified. It was a positive insult to Ireland to bring forward a measure of this kind, which intimately affected that country, and, as it were, to throw it on the floor of the House, so that a division might be taken upon it if it were found convenient to do so. What was the nature of this measure? They were asked to commit the electoral power to just that body in the three Kingdoms which every person must admit to be the least fitted to exercise it. Those whom it was proposed to enfranchise were notoriously the least thriving, least contented, and most thoroughly disloyal—the black spots in Ireland. They were most ignorant, and inhabited in the slums of the towns houses which were really unfit for human habitation. He would sooner improve away such houses than create such electors. This Bill would throw all the electoral power into their hands. Yet hon. Members opposite appeared determined not to discuss the measure. All they desired was, apparently, to snap a division, making it a mere question of Whips. The present qualification of £4 was not fixed at hap-hazard, but because that was the limit of rating. He could not understand why they should go lower, and carry a franchise to classes which did not pay rates. He objected especially to this Bill, on which the constituencies had never been consulted, being brought forward at the end of a Parliament. He appealed to English and Scotch Members before forcing on Ireland a measure which would have the most mischievous effect, candidly to ask themselves whether they would approve of the addition to their own constituencies of a few hundreds of those to whom they would commit the electoral power of Ireland. If it could have been said that the franchise of Ireland was confined to a small aristocratic or proprietorial class, he should be quite willing to vote for the extension of the franchise, but nothing of the kind could be said; and he was not disposed to try whether, by any possibility, the Irish electorate could be made worse than it was at present.

MR. CHARLES LEWIS said, he had not intended to take part in the debate; but he desired to make it clear that he did not shrink from urging against it the arguments which he had already used in opposing the Motion of the hon. and learned Member for Kildare (Mr. Meldon) in the early part of the Session; but he might congratulate the constituencies of Ireland on the fact that they had made some progress since then. In the former debate, he showed what would be the effect of enfranchising the poorest classes of Ireland, some of whom it was then shown were rated at only 5*s.* a-year; and he was, therefore, gratified to find that by this Bill it was not proposed to go below a rating of £1. That was a great advance; and he, therefore, hoped to hear from the hon. and learned Member in a future Session a still more satisfactory proposition. This measure had never been asked for by the people of Ireland. If they looked back to the debates on the representation of England and Scotland, they would see that those measures were advocated on the ground that they were demanded by a large unenfranchised class. Now, he did not think that they ought to grant an extension of the franchise merely because it was asked for by a large unenfranchised class. They ought to consider the fitness of the unenfranchised classes, the probability that the balance of political power would be unduly disturbed, or the liability of the classes which would be enfranchised to be acted upon by improper influences, and these things ought especially to be considered in a country so peculiarly circumstanced as Ireland. But, although this was so, it was still a most important fact that there was no popular demand for this Bill. It was now three months since this subject was last under consideration. He then stated that not a single Petition in favour of this proposal for the extension of the franchise was on the files of the House. That was still the case; and he believed that, so far were the people of Ireland from being in favour of this Bill, that not even the Irish Liberal Party were unanimous in its favour. The truth was that this Bill was not demanded by those who were outside the pale of the Constitution, but by those in the House who desired it solely for political purposes. He must say that he thought hon. Gentlemen on the other side of the House ought to be satisfied with the present condition of the borough representation. At present only nine of the borough seats in Ireland were filled by Conservatives. The effect of this Bill would be to efface from any influence in the representation of Ireland a considerable part of the people, not amongst the least intelligent and educated. The argument in favour of the extension of the franchise contemplated by this Bill was chiefly the small number of electors in Irish boroughs as compared with those in English and Scotch boroughs. But the object of reforming the representation should not be merely to add to the number of electors, but to strengthen the constituency. If the effect of this Bill was, as it would be, to place the representation of Ireland in the hands of the lowest class, he must say that he looked on such a measure, not only with regret, but with a feeling almost of despair. There were interests, political and social, in Ireland which should be represented in that House. But the effect of this Bill would be wholly to deprive of electoral power a great portion of the people of Ireland who, although they might be numerically in a minority, were nevertheless worthy of a share of political power. It would certainly be only respectful if the supporters of the Bill would give the House some few facts and figures in support of it. But whether they did so or not, he trusted the result of the division would be to show that the House would not assent to a reduction of the Irish franchise merely because there was at present a lower franchise in England and Scotland. He did not know whether, if he had been in the House at the time, he should have voted for the household suffrage in England and Scotland. He believed that on both sides of the House, and especially on the Liberal side, there was a widespread feeling that by that lowering of the franchise its extension had been carried too far. Be that as it might, he knew that if he wanted to make himself unpopular in the borough he represented, he should vote in favour of the Bill. He opposed it with the full assent of his constituency, because he believed it would degrade the franchise in Ireland, and that it would produce a most unsatisfactory state of things, because its effect would be to place in the hands of one party the whole representation of the people of Ireland.

Mr. MELDON said, the reason why the supporters of the measure had not discussed it at greater length was because its principle had been discussed over and over again this Session, and in the two preceding Sessions. Only so late as the 19th of February last he brought forward a Resolution on the subject, when the whole question was fully debated, and he himself spoke for an hour and a-half upon the subject. What had been said to-day did not call for any answer which had not been made by anticipation. The objections that had been urged against household suffrage in the former debate were obviated in the Bill by the £1 limit, which it was hoped would be accepted as a conciliatory concession, made in the spirit of compromise, and would insure the passing of the Bill, notwithstanding the obstructive opposition which had been offered to it from the Ministerial benches. If the Bill became law, the utmost addition which could be made to the borough constituencies of Ireland would be 27,000 voters. After hearing the arguments urged against the Bill, he must admit that he had nothing new to say in reply.

Mr. J. LOWTHER said, he did not think it would be right for him to allow the debate to close without saying a few words upon the subject. Unfortunately, although he came down to the House at the time when Public Business usually commenced, he had not the pleasure of hearing the speech of the hon. and learned Member who introduced the Bill. The Bill was one which dealt with one of the most important questions which could be submitted to Parliament, and had been described as a single-barrelled reform. It was a measure of very great consequence to Ireland; and yet it was introduced with scarcely a reason being given in favour of it. He had heard nothing but a unanimous chorus of opposition to the measure from both English and Irish Members. The hon. and learned Member for Kildare (Mr. Meldon) had stated that the arguments in favour of it had been already given, and, therefore, it was unnecessary to trouble the House with stating them over again. One of the fundamental rules which always guided Parliament in its proceedings had been that a question once discussed by the House should not be re-opened during the same Session; and the hon. and learned Gentleman was apparently asking the House to depart from that rule. He had no doubt but he should be told that if such had been the case the Bill would not have been allowed to be introduced, and that the limits now proposed to be placed on the franchise were not the same limits which were proposed in the Resolution which was previously considered by the House; but he thought it was substantially the same, especially as the hon. and learned Gentleman had himself stated that the only alterations which had been made were made for the purpose of a compromise. The measure was of great importance, dealing with an important subject, and was in the hands of a private Member; and he thought it should have been most fully and carefully explained to the House. He believed he was not wrong in saying that the effect of the Bill would be to affect for weal or woe very largely the balance of political power in Ireland. They were told that they were anxious in Ireland to assimilate the franchise to that of England. With regard to the subject of Parliamentary reform, he himself was in no way responsible for any of the measures which had been passed by Parliament dealing with the subject. He did not wish to go back to the Reform Act of 1867, but would merely say that he himself, and some of his Colleagues, were not personally responsible for that measure, and he had on every occasion opposed some of the most important features of that Bill. The present Bill did not contain any of the checks or safeguards with which any attempt to deal effectually with the question ought to be accompanied. The inevitable effect of this measnre would be to sweep away the property and intelligence of a community by the sheer dead weight of numbers. Any attempt to deal with the question of reform ought to be made in a comprehensive spirit. It was true that in 1868 the Irish Reform Bill did not touch upon the question for various reasons; but he thought if the subject of reform was settled now, that the question of re-distribution of seats would have to receive the attention of Parliament. He was most anxious not to pledge himself to any opinion whether this subject required the attention of Parliament or not; but he must say that he could conceive many other questions which would have a prior claim upon the attention of the House. There were many subjects upon which a very strong feeling undoubtedly existed in Ireland, but amongst those he failed to see the question of Parliamentary reform. As the hon. Member for Londonderry (Mr. Charles Lewis) had stated, not a single Petition had been presented to the House in favour of it. The question of Parliamentary reform was not one which could in any way be said to be urgent, taken in connection with political affairs in Ireland. What was the position of the Government with regard to a question of this kind? If they were to announce their intention of taking up this question of Parliamentary reform for Ireland, they would have to abandon any hopes during the present Session, and perhaps the next Session, of legislating upon any other subject in connection with Ireland. There would be very little chance of the financial proposals of his right hon. Friend the Chancellor of the Exchequer being considered by the House, or any measures of importance being proceeded with, if the Government took up this question. The hon. and learned Gentleman (Mr. Meldon) had carefully avoided the question of re-distribution of seats, and also ignored the question of those checks counterbalancing precautions which he ventured to think were essential to a complete settlement of the question of reform. Another question not touched upon by the present Bill, and which ought to be considered in connection with the subject, was the representation of minorities. He did not wish to detain the House any longer; but he felt that, as this was the first time that he had had an opportunity of stating his views on the subject of reform since he had been officially connected with Ireland, he should hardly be treating the House, and the Irish Representatives especially, with respect, if he had failed to state his reasons for opposing the Bill.

Question put.

The House *divided*:—Ayes 197; Noes 228: Majority 31.

AYES.

Acland, Sir T. D.
Adam, rt. hn. W. P.
Amory, Sir J. H.
Anderson, G.
Anstruther, Sir R.
Ashley, hon. E. M.
Backhouse, E.
Barclay, J. W.
Barran, J.
Bass, H. A.
Bass, M. T.
Baxter, rt. hn. W. E.
Bazley, Sir T.
Beaumont, Colonel F.
Beaumont, W. B.
Bell, I. L.
Biddulph, M.
Biggar, J. G.
Blake, T.
Blennerhassett, R. P.
Bowyer, Sir G.
Brady, J.
Brogden, A.
Brooks, M.
Brown, A. H.
Burt, T.
Cameron, C.
Campbell, Sir G.
Campbell-Bannerman, H.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Chamberlain, J.
Childers, rt. hon. H.
Cholmeley, Sir H.
Churchill, Lord R.
Clifford, C. C.
Clive, G.
Cole, H. T.
Colebrooke, Sir T. E.
Collins, E.
Conyngham, Lord F.
Corbett, J.
Courtney, L. H.
Cowan, J.
Cowen, J.
Cross, J. K.
Davies, R.
Delahunty, J.
Digby, K. T.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Downing, M'C.
Duff, M. E. G.
Dunbar, J.
Dundas, J. C.
Edwards, H.
Egerton, Admiral hn. F.
Ellice, E.
Ennis, N.
Errington, G.
Evans, T. W.
Fay, C. J.
Ferguson, R.
Fletcher, I.
Foljambe, F. J. S.
Forster, Sir C.
French, hon. C.
Gladstone, rt. hn. W. E.
Gordon, Lord D.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grant, A.
Gray, E. D.
Grey, Earl de
Hamond, C. F.
Hankey, T.
Harrison, J. F.
Hartington, Marq. of
Havelock, Sir H.
Hayter, A. D.
Henry, M.
Herschell, F.
Hibbert, J. T.
Hill, T. R.
Holms, J.
Holms, W.
Hopwood, C. H.
Howard, hon. C.
Howard, E. S.
Hughes, W. B.
Hutchinson, J. D.
Ingram, W. J.
James, W. H.
James, Sir H.
Jenkins, D. J.
Jenkins, E.
Johnstone, Sir H.
Kay - Shuttleworth, Sir U.
Kensington, Lord
Kirk, G. H.
Laing, S.
Lambert, N. G.
Laverton, A.
Lawrence, Sir J. C.
Lefevre, G. J. S.
Leith, J. F.
Lewis, O.
Lloyd, M.
Locke, J.
Lusk, Sir A.
Macdonald, A.
Macduff, Viscount
Mackintosh, C. F.
M'Arthur, A.
M'Kenna, Sir J. N.
M'Lagan, P.
Maitland, J.
Maitland, W. F.
Marjoribanks, Sir D. C.
Martin, P. W.
Martin, P.
Massey, rt. hon. W. N.
Meldon, C. H.
Mellor, T. W.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Moore, A.
Morgan, G. O.
Mundella, A. J.
Mure, Colonel
Murphy, N. D.
Norwood, C. M.
O'Beirne, Major
O'Brien, Sir P.
O'Byrne, W. R.
O'Clery, K.
O'Conor, D. M.
O'Conor Don, The
O'Donnell, F. H.
O'Gorman, P.
O'Leary, W.
O'Shaughnessy, R.
O'Sullivan, W. H.
Palmer, C. M.
Parker, C. S.
Parnell, C. S.
Pease, J. W.
Peel, A. W.
Pender, J.
Pennington, F.
Playfair, rt. hon. L.
Plimsoll, S.
Portman, hon. W. H. B.
Potter, T. B.
Power, J. O'C.
Price, W. E.
Rathbone, W.
Redmond, W. A.
Richard, H.
Rylands, P.
Samuelson, H.
Seely, C.
Shaw, W.
Sheil, E.
Sheridan, H. B.
Simon, Mr. Serjeant
Sinclair, Sir J. G. T.
Smith, E.
Smyth, P. J.
Smyth, R.
Stacpoole, W.
Stansfeld, rt. hon. J.
Stewart, J.
Stuart, Colonel
Sullivan, A. M.
Swanston, A.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, H. H.
Walter, J.
Ward, M. F.
Waterlow, Sir S. H.
Whitwell, J.
Whitworth, B.
Whitworth, W.
Williams, W.
Wilson, C.
Wilson, Sir M.
Yeaman, J.

TELLERS.

Nolan, Major
Power, R.

NOES.

Agnew, R. V.
Alexander, Colonel
Allen, Major
Allsopp, C.
Allsopp, H.
Arbuthnot, Lt.-Col. G.
Archdale, W. H.
Arkwright, A. P.
Ashbury, J. L.
Assheton, R.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Beach, rt. hon. Sir M. H.
Beach, W. W. B.
Benett-Stanford, V. F.
Bentinck, rt. hon. G. C.
Bentinck, G. W. P.
Beresford, Lord C.
Birley, H.
Blackburne, Col. J. I.

Bousfield, Colonel
Bowen, J. B.
Brooks, W. C.
Burrell, Sir W. W.
Buxton, Sir R. J.
Cameron, D.
Cartwright, F.
Cave, rt. hon. S.
Cecil, Lord E. H. B. G.
Chaine, J.
Charley, W. T.
Close, M. C.
Clowes, S. W.
Cole, Col. hon. H. A.
Coope, O. E.
Cordes, T.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Cust, H. C.
Dalkeith, Earl of
Dalrymple, C.
Denison, C. B.
Denison, W. B.
Denison, W. E.
Dick, F.
Digby, Col. hon. E.
Douglas, Sir G.
Duff, J.
Dyke, Sir W. H.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elliot, Sir G.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Ewart, W.
Ewing, A. O.
Fellowes, E.
Floyer, J.
Fremantle, hon. T. F.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Goddard, A. L.
Goldney, G.
Gooch, Sir D.
Gordon, Sir A.
Gordon, W.
Gore-Langton, W. S.
Goulding, W.
Grantham, W.
Greenall, Sir G.
Greene, E.
Gregory, G. B.
Guinness, Sir A.
Gurney, rt. hon. R.
Hall, A. W.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, right hon. Lord G.
Hamilton, Marquess of
Hamilton, hon. R. B.
Harcourt, E. W.
Hardcastle, E.
Hardy, hon. A. E.
Hardy, hon. S.
Hay, rt. hn. Sir J. C. D.
Heath, R.
Hermon, E.
Hildyard, T. B. T.
Hill, A. S.
Hinchingbrook, Visc.
Holford, J. P. G.
Holker, Sir J.
Holmesdale, Viscount
Home, Captain
Hood, Captain hon. A. W. A. N.
Isaac, S.
Jenkinson, Sir G. S.
Johnson, J. G.
Jolliffe, hon. S.
Jones, J.
Kavanagh, A. MacM.
Kennard, Colonel
Knight, F. W.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Lawrence, Sir T.
Learmonth, A.
Lechmere, Sir E. A. H.
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Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

QUEEN'S COLLEGES AND UNIVERSITY (IRELAND) BILL—[Bill 26.]

(*Mr. O'Donnell, Mr. O'Shaughnessy, Mr. Gray, Mr. Biggar, Mr. O'Connor Power.*)

SECOND READING. ADJOURNED DEBATE.

Order read for resuming Further Proceeding on Question [28th February], "That the Bill be now read a second time."

Debate *resumed.*

Mr. O'DONNELL said, the Bill was one which mainly sought to improve the character of Irish education, by providing a regular system of inspection. The Bill proposed to hand over the Queen's College at Belfast to the Presbyterians, and make the Government grants dependent on an inspection. That being so, he trusted the House would pass the measure.

Mr. J. P. CORRY, in moving that the Bill be read a second time that day six months, said, that as he was desirous of preserving the present principle on which Irish University Education was founded, he could not recognize any inducement to make the change proposed by the hon. Member for Dungarvan. He considered that the Colleges were very well managed, and saw no necessity for the system of inspection proposed.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. James Corry.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. CHARLES LEWIS said, the Bill was a single-barrelled University Bill, the real object of which was to sectarianize the Belfast College in favour of the Presbyterian Church, in order that this might be followed up by another Bill to denominationalize the other two Colleges of Galway and Cork, in favour of the Roman Catholic Church. On behalf of the Protestants, and especially the Presbyterians of Ireland, he repudiated the offer of such a bribe. Although he was strongly opposed to the measure, he should decline the responsibility of talking it out.

Question put.

The House *divided*:—Ayes 26; Noes 232: Majority 206.—(Div. List, No. 133.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (ARTIZANS' AND LABOURERS' DWELLINGS) (CORK) BILL.

On Motion of Mr. JAMES LOWTHER, Bill to confirm a Provisional Order of the Local Government Board for Ireland, under the provisions of "The Artizans' and Labourers' Dwellings Improvement Act, 1875," relating to the borough of Cork, *ordered* to be brought in by Mr. JAMES LOWTHER and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 180.]

FRESHWATER FISH PROTECTION BILL.

Select Committee on the Freshwater Fish Protection Bill *nominated*:—Sir ROBERT BUXTON, Mr. DILLWYN, Mr. RODWELL, Mr. DODDS, Mr. JAMES DUFF, Mr. STAFFORD HOWARD, Lord MUNCASTER, Mr. BRISTOWE, Mr. W. S. STANHOPE, Mr. ARTHUR BASS, Sir MATTHEW RIDLEY, Sir ANDREW LUSK, Mr. ISAAC, Mr. WILLIAM LOWTHER, and Mr. MUNDELLA:—Power to send for persons, papers, and records; Five to be the quorum.

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When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

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Moved, "That Her Majesty's Most Gracious Message be taken into consideration upon Monday next" (*Mr. Chancellor of the Exchequer*); Motion agreed to

Her Majesty's Message considered; Message again read *April* 8, 858

Moved, "That an humble Address be presented to Her Majesty, thanking Her Majesty for Her Most Gracious Message communicating to this House Her Majesty's intention to cause the Reserve Force, and the Militia Reserve Force, or such part thereof as Her Majesty should think necessary, to be forthwith called out for permanent service" (*Mr. Chancellor of the Exchequer*)

Amendt. at end, to add "but that this House regrets that Her Majesty's Ministers have thought it right to advise the calling out of Her Majesty's Reserve Forces, considering that no great emergency has been shown to exist, and that such calling out of the Reserves is neither prudent in the interests of European peace, necessary for the safety of the country, nor warranted by the state of matters abroad" (*Sir Wilfrid Lawson*), 893; Question proposed, "That those words be there added;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. E. Jenkins*); Motion agreed to; Debate adjourned

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Amendt. to leave out all after ("that,") and insert ("in the opinion of this House any necessity that may exist for additional bishops should be met by an addition to the number of suffragan bishops") (*The Earl of Rosebery*); after short debate, on Question, whether the words proposed to be left out shall stand part of the Motion? Cont. 107, Not-Cont. 33; M. 74
List of Cont. and Not-Cont. 1866
Resolved in the Affirmative; Motion agreed to; Bill read 3ª (No. 70)

Blackburn, Lord
Matrimonial Causes Acts Amendment, Comm. *cl.* 3, 190

Blackburne, Colonel J. I., *Lancashire, S. W.*
Noxious Vapours Commission, Report, 1720

Blake, Mr. T., *Leominster*
Customs' Clerks, 1090

Blennerhassett, Mr. R. P., *Kerry*
Inland Revenue—Distributor of Stamps in Kerry, 115

Blind and Deaf-Mute Children (Education) Bill
(*Mr. Wheelhouse, Sir Andrew Lusk, Mr. Isaac*)
c. Order for Committee (*on re-comm.*) read *April* 15, 1357
Moved, "That this House will To-morrow, at Two of the clock, resolve itself into the said Committee"
Amendt. to leave out "this day, at Two of the clock," and insert "upon Monday 6th May" (*Sir Charles W. Dilke*) *v.*; Question proposed, "That this day, at Two of the clock," stand part of the Question;" after short debate, Question put; A. 44, N. 15; M. 29; (D. L. 107)
Main Question put, and agreed to

Boord, Mr. T. W., *Greenwich*
Ways and Means—Financial Statement, Comm. 567

Borneo and Sulu
Question, Sir Charles W. Dilke; Answer, Sir Michael Hicks-Beach *April* 8, 857

Borough Franchise (Ireland) Bill
(*Mr. Meldon, Mr. Butt, Mr. Gray, Mr. Maurice Brooks*)
c. Ordered * *April* 2
Read 1º* *April* 3 [Bill 141]
Moved, "That the Bill be now read 2º" *May* 15, 1960
[*cont.*

Borough Franchise (Ireland) Bill—cont.
Amendt. to leave out "now," and add "upon this day six months" (*Mr. James Corry*); Question proposed, "That 'now,' &c.;" after debate, Question put; A. 197, N. 228; M. 31
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Bourke, Hon. R. (Under Secretary of State for Foreign Affairs), *Lynn Regis*
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Bowyer, Sir G., *Wexford Co.*
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Message from the Queen—Army Reserve Forces, Motion for an Address, 994
Supply—House of Lords, Offices of the, 1454, 1465
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Brand, Right Hon. H. B. W., (*see* Speaker, The)

Brassey, Mr. T., *Hastings*
Employers Liability for Injuries, 2R. 1050

Briggs, Mr. W. E., *Blackburn*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 391; *cl.* 1, 1837, 1846

Bright, Right Hon. J., *Birmingham*
Eastern Question—Conference—Russia and Bessarabia, 476
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Parliament—Public Business—Easter Recess, Res. 1101, 1386, 1387
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Bright, Mr. J., *Manchester*
Message from the Queen—Army Reserve Forces, Motion for an Address, 986

Brise, Colonel S. B. Ruggles-, *Essex, E.*
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Bristowe, Mr. S. B., *Newark*
Supply—Foreign Office, 1486
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Brooks, Mr. M., *Dublin*
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Public Petitions Committee, Report, 1223, 1224
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Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 381; Motion for reporting Progress, 390; *cl.* 1, 1840
Tramways (Use of Mechanical Power) Bills, Res. 1282

Brown, Mr. A. H., *Wenlock*
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Bruen, Mr. H., *Carlow Co.*
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Bulwer, Mr. J. R., *Ipswich*
Employers Liability for Injuries, 2R. 1071
Supply—House of Lords, Offices of the, 1458
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Burial Law Amendment Bill
(*Mr. Balfour, Lord Francis Hervey, Mr. Cowper-Temple, Mr. Wait*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *April* 15 [Bill 154]

Burt, Mr. T., *Morpeth*
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Chaplin, Mr. H., *Lincolnshire, Mid.*
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Question, Mr. Macdonald; Answer, Mr. Assheton Cross *May* 14, 1882

Cobbold, Mr. T. C., *Ipswich*
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Cogan, Right Hon. W. H. F., *Kildare*
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Colebrooke, Sir T. E., *Lanarkshire, N.*
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Irish Fisheries—Mackerel Fishery at Kinsale, 1284
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 341; *cl.* 1, 1814; Amendt. 1847
Tramways (Ireland) Act Amendment, 2R. 98

Conge d'elire Bill [Bill 110]
(*Mr. Monk, Mr. Forsyth, Mr. Assheton*)
c. Moved, "That the Bill be now read 2°" *May* 7, 1545
Amendt. to leave out "now," and add "upon this day six months" (*Mr. J. G. Hubbard*); Question proposed, "That 'now,' &c."
[House counted out]

Consecration of Churchyards Act (1867) Amendment Bill (*Mr. Monk, Mr. Forsyth*)
c. Act read; considered in Committee; Resolution agreed to, and reported; Bill ordered * *May* 13
Read 1° * *May* 14 [Bill 176]

Consolidated Fund (No. 2) Bill
(*Earl of Beaconsfield*)
l. Read 1ª * *Mar* 26
Read 2ª *; Committee negatived; read 3ª *Mar* 27
Royal Assent *Mar* 28 [41 *Vict.* c. 9]

Contagious Diseases (Animals) Bill
(*The Lord President*)
l. Report * *April* 12 (Nos. 37-76)
Correspondence, Question, The Marquess of Ripon; Answer, The Duke of Richmond and Gordon *May* 14, 1854

Conway Bridge (Composition of Debt) Bill (*Sir Henry Selwin-Ibbetson, Mr. Gerard Noel*)
c. Resolution considered in Committee *April* 8, 942
Resolution reported, and agreed to; Bill ordered; read 1° * *April* 11 [Bill 150]

Coroners—Inquests on Lunatics
Question, Colonel Brise; Answer, Mr. Assheton Cross *April* 11, 1090

Corry, Mr. J. P., *Belfast*
Borough Franchise (Ireland), 2R. Amendt. 1962
Customs and Inland Revenue, Comm. *add. cl.* 1350
Queen's Colleges and University (Ireland), 2R. Amendt. 1990

County Courts Bill (*Mr. Joseph Cowen, Mr. Ripley, Mr. Rowley Hill*)
c. Moved, "That the Bill be now read 2°" *May* 8, 1548
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Osborne Morgan*); Question proposed, "That 'now,' &c.;" after debate, Amendt. and Motion withdrawn; Bill withdrawn [Bill 10]

County Courts Jurisdiction (No. 2) Bill (*Sir Eardley Wilmot, Mr. Forsyth*)
c. Committee nominated; List of the Committee *April* 15, 1360
Ordered, That the Select Committee have power to send for persons, papers, and records (*Sir Eardley Wilmot*) *May* 13

County Representative Councils (Ireland) Bill (*Mr. Butt, Mr. M'Carthy Downing*)
c. Ordered; read 1°* *April* 15 [Bill 155]

Courtney, Mr. L. H., *Liskeard*
Customs and Inland Revenue, Comm. *cl.* 3, 1300; *cl.* 15, 1321; *cl.* 17, 1328
Message from the Queen—Army Reserve Forces, Motion for an Address, 1011
Parliament—Easter Recess, 1378
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 389; *cl.* 1, 1814, 1841
South Africa—Transvaal Territory, 856, 1885
Supply—Civil Services and Revenue Departments, 181
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Cowen, Mr. J., *Newcastle-on-Tyne*
County Courts, 2R. Bill withdrawn, *1548, 1582
Eastern Question—Reserve Forces, 172
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Criminal Code (Indictable Offences) Bill (*Mr. Attorney General, Mr. Solicitor General, Mr. Secretary Cross*)
c. Motion for Leave (*Mr. Attorney General*) *May* 14, 1936; after short debate, Motion agreed to; Bill ordered; read 1°* [Bill 178]

Criminal Law
Miscellaneous Questions
Case of the Rev. Mr. Dodwell, Question, Dr. Kenealy; Answer, Mr. Assheton Cross *April* 11, 1094
Prison Discipline—Flogging, Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross *Mar* 26, 34
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Cross, Right Hon. R. A. (Secretary of State for the Home Department), *Lancashire, S.W.*
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Cruelty to Animals Act, 1876—*Licences*
Question, Mr. Holt; Answer, Mr. Assheton Cross *April* 11, 1091

Cuninghame, Sir W. J. M., *Ayr, &c.*
Hypothec (Scotland) (No. 3), 2R. Amendt. 510

Customs and Inland Revenue Bill (*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson*)
c. Ordered; read 1°* *April* 5 [Bill 146]
Moved, "That the Bill be now read 2°" *April* 11, 1181
Amendt. to leave out from "That," and add "this House regrets that it should be proposed to raise that portion of the Ways and Means of the year which is to be met out of indirect taxation by increasing the Tobacco Duties, which are already so high as to cause an enormous amount of smuggling, and so assessed as that the Tobacco commonly consumed by the poor is taxed at 500 per cent upon its value, and that commonly consumed by the rich at not more than 5 per

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Customs and Inland Revenue Bill—cont.
cent" (*Sir Charles W. Dilke*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question put; A. 164, N. 31; M. 133 (D. L. 102)
Main Question put, and agreed to; Bill read 2°
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *April* 15, 1289
Amendt. to leave out from "That," and add "it is inexpedient to employ the police as prosecutors for the recovery of Excise penalties" (*Mr. Hopwood*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question put, and agreed to
Main Question, "That Mr. Speaker, &c." put, and agreed to; Committee; Report, 1292
Moved, "That the Bill be now taken into Consideration" *April* 16, 1413; after short debate, Debate adjourned
Debate resumed *April* 16, 1417; Question put, and agreed to; Bill considered; Amendts. made
Observations, Question, Mr. Dodson; Reply, The Chancellor of the Exchequer *May* 6, 1452
Moved, "That the Bill be now read 3°" *May* 9, 1650
Amendt. to leave out "now read 3°," and add "re-committed, in order to amend it, so as to establish a difference of two shillings per pound between the Duty on unmanufactured tobacco and cigars, instead of one shilling and ten pence, as provided by the Bill" (*Mr. Ritchie*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question put; A. 184, N. 82; M. 102 (D. L. 114)
Main Question, "That the Bill be now read 3°," proposed; Moved, "That the Debate be now adjourned" (*Mr. Dillwyn*); after debate, Question put; A. 85, N. 170; M. 85 (D. L. 115)
Main Question, "That the Bill be now read 3°," again proposed; Moved, "That this House do now adjourn" (*Mr. Hussey Vivian*); after short debate, Motion withdrawn
Main Question, "That the Bill be now read 3°," again proposed; Moved, "That the Debate be adjourned until Monday" (*Mr. Chancellor of the Exchequer*); Motion agreed to; Debate adjourned till Monday next
Debate resumed *May* 13, 1725; after long debate, Question put; A. 111, N. 19; M. 92 (D. L. 116); Bill passed
l. Read 1ª* (*Earl of Beaconsfield*) *May* 14

Customs' Clerks
Question, Mr. Blake; Answer, Sir Henry Selwin-Ibbetson *April* 11, 1090

Customs—Position of Outport Clerks
Question, Sir Edward Watkin; Answer, Sir Henry Selwin-Ibbetson *May* 14, 1884

DALRYMPLE, Mr. C., *Buteshire*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 1848

DAVIES, Mr. D., *Cardigan*
Customs and Inland Revenue, 2R. 1188
Highways, 2R. 1258
Joint Stock Companies Acts, 1862 and 1867, Res. 1710
Land Registration, Motion for a Select Committee, 1905
Supply—Stationery Office, 1794
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Navy—H.M.S. "Eurydice," Foundering of, 1
Railway Returns (Continuous Brakes), 2R. 1273; Comm. Schedule 3, Amendt. 1361

DENISON, Mr. C. BECKETT-, *Yorkshire, W.R., E. Div.*
Customs and Inland Revenue, 3R. 1729
East India (Increase of Taxation), Res. 454, 458
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Bishoprics, 3R. 1864
Eastern Question — Austro-Hungarian Monarchy—Speech of the Earl of Derby, Explanation, 1363
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Dental Practitioners Bill
(*Sir John Lubbock, Sir Philip Egerton, Mr. Gregory, Dr. Lush*)
c. Committee*; Report *May* 14 [Bills 96-177]

†DERBY, Earl of (Secretary of State for Foreign Affairs)
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DICKSON, Mr. T. A., *Dungannon*
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DILKE, Sir C. W., *Chelsea, &c.*
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Parliament—Morning Sittings, 1237
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Parliament—Privilege—Mr. O'Donnell and "The Globe," Res. 1404
Parliament—Public Business—Easter Recess, Res. 1096, 1399
Parliamentary and Municipal Elections (Hours of Polling), Nomination of Select Committee, 473
Public Petitions Committee, Report, 1223
Public Works Loans, 2R. Motion for Adjournment, 619, 1255; Comm. *cl.* 5, 1354
Supply—Civil Service Commission, 1616, 1617
House of Lords, Offices of the, 1456, 1458, 1461, 1462, 1466, 1472, 1473, 1476
Lord Privy Seal, 1497, 1507
Vaccination Law (Penalties), 2R. 506

DODDS, Mr. J., *Stockton*
Bills of Sale, Consid. *add. cl.* 1264
Ways and Means — Financial Statement, Comm. 572

DODSON, Right Hon. J. G., *Chester*
Bermondsey Vestry, 2R. 1516
Customs and Inland Revenue, Comm. 1291; *cl.* 3, 1301, 1304; *cl.* 12, 1311; *cl.* 17, 1329; *cl.* 20, 1342, 1345, 1452; 3R. 1673, 1674, 1738
Supply—Local Government Board, &c. 1642
Privy Council Office, 1495
Stationery Office, 1791
Ways and Means—Financial Statement, Comm. 569, 572

DOUGLAS, Sir G. H. S., *Roxburghshire*
Customs and Inland Revenue, Comm. *cl.* 17, 1329

DOWNING, Mr. M'Carthy, *Cork Co.*
Mutiny, Comm. *cl.* 48, 140, 141; *cl.* 56, 144; *cl.* 57, 148
Parliament—Easter Recess, 1388
Parliament—Privilege—Mr. O'Donnell and "The Globe," Res. 1404
Poor Law Guardians (Ireland) Election, 2R. 83

DOWNING, Mr. M'Carthy—*cont.*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 358; *cl.* 1, Motion for reporting Progress, 1812, 1813, 1835, 1844; Motion for reporting Progress, 1845, 1847, 1848, 1853

Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation Bill
(*Colonel Stanley, Mr. James Lowther*)
c. Ordered; read 1°* *Mar* 28 [Bill 136]
Read 2°* *April* 10
Committee*; Report *May* 6
Read 3°* *May* 8
l. Read 1ª* (*The Lord President*) *May* 13 (No. 82)

Dublin Southern District Tramways Bill
c. Leave given to the Select Committee on Tramways (Use of Mechanical Power) Bills to make a Special Report, so far as relates to the Dublin Southern District Tramways Bill *April* 1
Special Report brought up, and read; to lie upon the Table, and to be printed

Dublin Tramways Bill (*by Order*)
c. Moved, "That the Bill be now read 2°" (*Mr. Young*) *Mar* 26, 21
Amendt. to leave out "now," and add "upon this day six months" (*Mr. M. Brooks*); Question proposed, "That 'now,' &c.;" after short debate, Moved, "That the Debate be now adjourned" (*Mr. Parnell*); after further short debate, Motion agreed to; Debate adjourned
Debate resumed *April* 5, 662; after short debate, Question put; A. 87, N. 45; M. 42 (D. L. 98)
Main Question put, and agreed to; Bill read 2°

DUFF, Mr. M. E. Grant, *Elgin, &c.*
East India (Increase of Taxation), Res. 425
Message from the Queen — Army Reserve Forces, Motion for an Address, 902

DUNRAVEN, Earl
Crime in Ireland, Res. 1200
National Museums and Galleries, Opening of, on a Sunday, 408

DUNSANY, Lord
Navy—H.M.S. "Eurydice," Foundering of, 513

DURHAM, Bishop of
Bishoprics, 2R. 17

DYKE, Sir W. H. (Secretary to the Treasury), *Kent, Mid*
Inland Revenue—Distributor of Stamps in Kerry, 116
Parliamentary and Municipal Elections (Hours of Polling), Nomination of Select Committee, 472
Post Office—Postmasterships, Res. 215

[*cont.*

EBURY, Lord
Bishoprics, 2R. 13

Ecclesiastical Buildings (Fire Insurance) Bill
(*Mr. Leighton, Mr. Goldney, Mr. Whitwell*)
c. Committee nominated *April* 2

Ecclesiastical Commission—Mr. Charles Armstrong
Question, Observations, The Earl of Sandwich; Reply, The Earl of Chichester *April* 11, 1081 Correspondence, *P. P.* (No. 74)

EDMONSTONE, Admiral Sir W., *Stirlingshire*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 1836
Ways and Means, Comm. 1176

EDUCATION
MISCELLANEOUS QUESTIONS
Education Department—Grants to Elementary Schools, Question, Mr. Pell; Answer, Viscount Sandon *April* 4, 531
Religious Instruction, Question, Mr. Sampson Lloyd; Answer, Viscount Sandon *April* 4, 530
School Board Elections, Question, Mr. Sampson Lloyd; Answer, Viscount Sandon *April* 4, 529
The London School Board—Religious Teaching, Question, Mr. A. Mills; Answer, Viscount Sandon *April* 4, 531
Superior Elementary Education — Bradford School Board, Question, Mr. Wheelhouse; Answer, Lord George Hamilton *April* 16, 1371

Elementary Education Acts
Wymington Board School, Question, Mr. Chamberlain; Answer, Viscount Sandon *Mar* 28, 112
Elementary Education Act, 1870—*School Inspection*, Question, Mr. O'Reilly; Answer, Mr. J. Lowther *April* 4, 525
Elementary Education Act, 1876 — *School Certificates of Birth*, Question, Sir John Kennaway; Answer, Viscount Sandon *April* 4, 528

Education (Scotland) Bill [H.L.]
(*The Lord President*)
l. Read 2ª, after debate *April* 1, 274 (No. 47)
Committee *April* 9, 949
Report * *April* 11 (No. 69)
Read 3ª * *April* 12
c. Read 1° * *April* 16 [Bill 156]

EGYPT
MISCELLANEOUS QUESTIONS
Egyptian Finance, Question, Sir George Campbell; Answer, Mr. Bourke *Mar* 28, 116; Question, Mr. Rylands; Answer, Mr. Bourke *Mar* 29, 206; Observations, Mr. Rylands; Reply, The Chancellor of the Exchequer *Mar* 29, 224
[*cont.*

EGYPT—*cont.*
Mr. Rivers-Wilson, Question, Sir George Campbell; Answer, Mr. Bourke *April* 8, 857
Return of the Rates and Duties and Regulations of the Suez Marine Canal, Question, Mr. Whitwell; Answer, Mr. Bourke *April* 1, 287

ELCHO, Lord, *Haddingtonshire*
Local Government and Taxation in London, Res. 710
Message from the Queen — Army Reserve Forces, Motion for an Address, 1027

Elementary Education Provisional Order Confirmation (London) Bill [H.L.]
(*The Lord President*)
l. Presented; read 1ª*, and referred to the Examiners *April* 9 (No. 67)

Elementary Education Provisional Order Confirmation (Mickleover) Bill
(*Lord George Hamilton, Sir Henry Selwin-Ibbetson*)
c. Ordered * *May* 7
Read 1° * *May* 8 [Bill 161]
Read 2° * *May* 14

Elementary Education Provisional Order (Portsmouth) Bill (*Lord George Hamilton, Sir Henry Selwin-Ibbetson*)
c. Ordered; read 1° * *May* 14 [Bill 179]

Elementary Education Provisional Orders Confirmation (Birmingham, &c.) Bill [H.L.] (*The Lord President*)
l. Presented; read 1ª*, and referred to the Examiners *April* 9 (No. 68)

ELGIN, Earl of
Endowed Schools and Hospitals (Scotland), 2R. 658; *cl.* 12, Amendt. 1076

ELLENBOROUGH, Lord
Army—Marking Deserters, 105
Mutiny, Comm. 396

ELLIOT, Sir G. *Durham, N.*
Post Office—Mail Contracts, Res. 1601

ELPHINSTONE, Lord
Navy—H.M.S. "Eurydice," Foundering of, 1, 514, 647

Employers Liability for Injuries Bill
(*Mr. Macdonald, Dr. Cameron, Mr. Meldon, Mr. Bass*) [Bill 11]
c. Moved, "That the Bill be now read 2°" *April* 10, 1042
Amendt. to leave out from "That," and add "any alteration in the Law of Liability of Employers for Injuries to those in their
[*cont.*

Employers Liability for Injuries Bill—cont.
employ should be founded on the Report of the Select Committee of last Session on the subject; and that, considering the importance of the question, affecting, as it does, all classes of the community, any measure on the subject should be introduced by Government" (*Mr. Tennant*) *v.*; Question proposed, "That the words, &c.;" after debate, Debate adjourned

Employers' Liability for Injuries to their Servants
Question, Observations, Earl De La Warr; Reply, Earl Beauchamp *April* 16, 1361

Endowed Schools and Hospitals (Scotland) Bill [H.L.] (*The Lord President*)
l. Presented; read 1ª, after short debate *Mar* 29, 192 (No. 56)
Read 2ª, after short debate *April* 5, 653
Committee; Report *April* 11, 1072
Read 3ª *April* 12, 1193
c. Read 1°* *April* 16 [Bill 157]

Entail Amendment (Scotland) Bill [H.L.] (*The Duke of Argyll*)
l. Report * *Mar* 28 (No. 15)
Committee * *April* 1 (No. 52)
Report * *April* 2
Read 3ª * *April* 5
c. Read 1° * *April* 16 [Bill 158]

Errington, Mr. G., *Longford Co.*
Sierra Leone, 412

Evans, Mr. T. W., *Derbyshire, S.*
Vaccination Law (Penalties), 2R. 499

Ewart, Mr. W., *Belfast*
Borough Franchise (Ireland), 2R. 1981

Ewing, Mr. A. Orr-, *Dumbartonshire*
Customs and Inland Revenue, 2R. 1187; Comm. *cl.* 12, Amendt. 1311, 1314
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 348
Ways and Means, Comm. 1138

Exchequer, Chancellor of the (*see* Chancellor of the Exchequer)

Explosives Act, 1875—*Mining Cartridges*
Questions, Mr. Macdonald; Answers, Mr. Assheton Cross *April* 12, 1227

Factories and Workshops Bill
(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson*)
c. Read 3°, after short debate *Mar* 29, 261 [Bill 126]
l. Read 1ª* (*The Lord Steward*) *April* 1 (No. 57)
Read 2ª, after short debate *April* 9, 943
Committee *; Report *April* 12

Fawcett, Mr. H., *Hackney*
Customs and Inland Revenue, 2R. 1187; Comm. *cl.* 3, 1298, 1303
Eastern Question—Miscellaneous Questions
Negotiations, Motion for Adjournment, 1422, 1440, 1449
Notices of Motions, 1592
Russia and England, 257
East India (Increase of Taxation), Res. 417, 425, 470
Factories and Workshops, 3R. 261
India—Public Meetings, 666, 667
Metropolis—Water Supply, 1285
Metropolis Water Works (Purchase), 2R. 758, 759
Military Forces of the Crown—The Indian Contingent, 1885
Parliament—Public Business—Easter Recess, Res. 1098, 1388; Amendt. 1389, 1398
Parochial Charities of the City of London, Res. 1701
Ways and Means, Report, 746

Fay, Mr. C. J., *Cavan Co.*
Irish Church Temporalities Commissioners—Sale of Lands, 1604
Poor Law Guardians (Ireland) Election, 2R. 90
Tenant Right (Ireland), 2R. 1587

Food and Drugs Act, 1875—*Adulterated Liquor*
Question, Mr. A. Moore; Answer, Mr. J. Lowther *May* 7, 1518

Forster, Sir C., *Walsall*
Employers Liability for Injury, 2R. 1053
Public Petitions Committee, Report, 1220, 1223

Forster, Right Hon. W. E., *Bradford*
Eastern Question — Ministerial Statement, 1374, 1375
Employers Liability for Injuries, 2R. 1071
Parliament—Easter Recess, 1392
Public Business, 1288
Parliament—Privilege—Mr. O'Donnell and "The Globe," Res. 1409
Poor Law Guardians (Ireland) Election, 2R. 94
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 375, 381, 382, 386; *cl.* 1, 635
Vaccination Law (Penalties), 2R. 492, 507

Forsyth, Mr. W., *Marylebone*
Bermondsey Vestry, 2R. 1516
Customs and Inland Revenue, Comm. *cl.* 17, 1327
Eastern Question—Congress, The, 524
Notice of Motion, 1592
Parliament—Easter Recess, 1396
Supply—Stationery Office, 1788
Vaccination Law (Penalties), 2R. 494

Fraser, Sir W. A., *Kidderminster*
Local Government and Taxation in London, Res. 702
Supply—Lord Privy Seal, 1497

FREMANTLE, Hon. T. F., *Buckinghamshire*
Post Office—Postmasterships, Res. 213

FRENCH, Hon. C., *Roscommon*
Mutiny, Comm. *cl.* 23, 59
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, Motion for Adjournment, 1847
Ways and Means—Financial Statement, Comm. 605

Freshwater Fish Protection Bill
(*Mr. Mundella, Mr. James Duff, Mr. Michael Bass, Mr. Spencer Stanhope*)
c. Read 2°, and committed to a Select Committee, after short debate *April* 11, 1190 [Bill 131]
Select Committee nominated; List of the Committee *May* 15, 1992

GALLOWAY, Earl of
Endowed Schools and Hospitals (Scotland), Comm. 1072; *cl.* 8, Amendt. 1075, 1076; *cl.* 12, 1081
Mutiny, 2R. 280

GALWAY, Viscount
Customs and Inland Revenue, Comm. *cl.* 20, 1343

Gas and Water Orders Confirmation Bill
(*Mr. J. G. Talbot, Viscount Sandon*)
c. Ordered; read 1°* *April* 15 [Bill 153]
Read 2°* *May* 13

General Police and Improvement Provisional Order (Paisley) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Ordered; read 1°* *May* 9 [Bill 170]

General Police and Improvement (Scotland) Act, 1862, Amendment Bill
(*Mr. M'Lagan, Mr. Orr Ewing, Colonel Mure*)
c. Ordered; read 1°* *April* 8 [Bill 147]
Read 2°* *May* 6

GIBSON, Right Hon. E., (Attorney General for Ireland), *Dublin University*
Borough Franchise (Ireland), 2R. 1971
Earl of Leitrim, Murder of, 1095, 1365
Ireland—Appointment of a Coroner for Westmeath, 1287
Irish Church Act (1869) Amendment, 2R. 475
Irish Fisheries—Mackerel Fishery at Kinsale, 1285
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 382, 383, 392, 393; Amendt. 394; *cl.* 1, 1843, 1846
Statute Law Revision (Ireland), 2R. 1258

GIFFARD, Sir H. S. (see SOLICITOR GENERAL, The)

GLADSTONE, Right Hon. W. E., *Greenwich*
Earl of Leitrim, Murder of, 666
Eastern Question—Miscellaneous Questions
  Congress, The, 416, 475, 521, 522, 523, 532, 733
  Russia and Bessarabia, 476
  Russia and England, 255
Message from the Queen—Army Reserve Forces, 294; Motion for an Address, 869
Parliament—Breach of Privilege, 671
Parliament—Public Business—Easter Recess, Res. 1099, 1101, 1102
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 369, 379; *cl.* 1, 645
Vaccination Law (Penalties), 2R. 501
Ways and Means—Financial Statement, Comm. 555, 557, 561

Gold and Silver Hall Marking
Select Committee appointed "to inquire into the operation of the Acts relating to the Hall Marking of Gold and Silver manufactures" (*Sir Henry Jackson*) *April* 15, 1359

GOLDNEY, Mr. G., *Chippenham*
Customs and Inland Revenue, Comm. *cl.* 12, 1313, 1315, 1318
Dublin Tramways, 2R. 25
Message from the Queen—Army Reserve Forces, Motion for an Address, 910
Public Works Loans, 2R. 619
Supply—Charity Commission, 1611, 1612
  Foreign Office, 1486, 1487
  Lord Privy Seal, 1500
Ways and Means, Comm. 1133

GOLDSMID, Mr. J., *Rochester*
Eastern Question—Reserve Forces, 171
Message from the Queen—Army Reserve Forces, Motion for an Address, 922
Parliament—Easter Recess, 1397
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. Motion for reporting Progress, 353, 354, 361, 384; *cl.* 1, 623, 644
Supply—Civil Service and Revenue Departments, 180

GORDON, Sir A., *Aberdeenshire, E.*
Dominion of Canada—Permissive Bill, 664
Earl of Leitrim, Murder of, Res. 1261
Gun Licence Act, 1870—Rabbits (Scotland), 1089
Law and Justice (Scotland)—Office of Lord Clerk Register, 37
Supply—Stationery Office, 1793

GORST, Mr. J. E., *Chatham*
Customs and Inland Revenue, 2R. 1186; Comm. *cl.* 3, 1297, 1302
Employers Liability for Injuries, 2R. 1053
National Debt—The New Sinking Fund, 856
Parliament—Privilege, 535
Supply—House of Lords, Offices of the, 1473, 1475
Ways and Means—Financial Statement, Comm 575, 1181; Report, 1239

Goschen, Right Hon. G. J., *London*
Customs and Inland Revenue, Comm. *cl.* 12, 1309; *cl.* 17, 1326; *cl.* 20, 1343
Local Government and Taxation in London, Res. 730, 731
Ways and Means, Comm. 1175, 1178

Goulding, Mr. W., *Cork*
Borough Franchise (Ireland), 2R. 1971

Gourley, Mr. E. T., *Sunderland*
Customs and Inland Revenue, Comm. *cl.* 17, 1325
Fishery Award, 285

Grant, Mr. A. *Leith*
East India (Increase of Taxation), Res. 443
India—Trade between India and China, 1286

Grantham, Mr. W., *Surrey, E.*
Bermondsey Vestry, 2R. 1512
Judicial Appointments, Res. 1933

Granville, Earl
Bishoprics, Report, 957
Eastern Question—Message from the Crown, 185, 186
  Prince Gortchakoff's Circular and Memorandum, 1219
Message from the Queen—Calling out of the Reserve Forces, 185, 186, 272, 274; Motion for an Address, 777
Military Forces of the Crown—Employment of Indian Troops, 1713
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Gray, Mr. E. D., *Tipperary*
Dublin Tramways, 2R. 25, 26
Factories and Workshops, 3R. 266
Poor Law Guardians (Ireland) Election, 2R. 67, 97
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 1835, 1844
Supply—Civil Service and Revenue Departments, 180, 183
  Local Government Board, &c. 1642
  Stationery Office, 1787, 1789, 1791, 1793, 1798, 1799, 1803, 1806
Tenant Right (Ireland), 2R. 1588

Greene, Mr. E., *Bury St. Edmunds*
Borough Franchise (Ireland), 2R. 1977
Poor Law Guardians (Ireland) Election, 2R. 89
Vaccination Law (Penalties), 2R. 498
Ways and Means, Comm. 1144

Gregory, Mr. G. B., *Sussex, E.*
Bills of Sale, Consid. *add. cl.* 1264
County Courts, 2R. Bill withdrawn, 1567
Employers Liability for Injuries, 2R. 1052
Joint Stock Companies Acts, 1862 and 1867, Res. 1705

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Gregory, Mr. G. B—*cont.*
Land Registration, Motion for a Select Committee, 1898
Public Works Loans, 2R. 1255
Supply — Patent Law Amendment Act, &c. 1766
Ways and Means, Report, 1245

Grey, Earl
Message from the Queen—Calling out of the Reserve Forces, 269

Guinness, Sir A. E., *Dublin*
Army—Royal Engineer Department, 1092

Gun Licence Act, 1870—*Rabbits* (*Scotland*)
Question, Sir Alexander Gordon; Answer, The Chancellor of the Exchequer *April* 11, 1089

Hamilton, Lord G. F. (Under Secretary of State for India), *afterwards* (†Vice President of the Committee of Council on Education), *Middlesex*
East India (Increase of Taxation), Res. 459
†Elementary Education Act—Superior Elementary Education, 1371
India—Bombay Town Hall, 415, 416
†Metropolis—Union of Benefices Act, 1370

Hamilton, Marquess of, *Donegal Co.*
Earl of Leitrim, Murder of, 416
Tenant Right (Ireland), 2R. 1585
Tramways (Ireland) Act Amendment, 2R. 100

Hamilton, Mr. I. T., *Dublin Co.*
Army—Royal Engineers, 117

Hanbury, Mr. R. W., *Tamworth*
Message from the Queen — Army Reserve Forces, Motion for an Address, 970

Hankey, Mr. T., *Peterborough*
Customs and Inland Revenue, Comm. *cl.* 12, 1307
Message from the Queen — Army Reserve Forces, 292
Public Works Loans, 2R. 1253; Comm. *cl.* 5, 1355
Ways and Means—Dog Tax, 1449
Ways and Means—Financial Statement, Comm. 607, 1181

Harbour and Lighthouse Returns
Question, General Sir George Balfour; Answer, Sir Charles Adderley *April* 1, 285

Harcourt, Sir W. G. V., *Oxford City*
Eastern Question—Negotiations, 1431

Hardcastle, Mr. E., *Lancashire, S.E.*
Employers Liability for Injuries, 2R. 1057
Judicial Appointments, Res. 1927

HARDY, Right Hon. Gathorne (Secretary of State for War) *afterwards* †Secretary of State for India), *Oxford University*
Army—Miscellaneous Questions
Brigade Depôt Quartermasters, 35
Commissariat Department, Officers of, 201
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†India—Famine in Bombay, 960
†Public Meetings, 667
†Message from the Queen — Army Reserve Forces, Motion for an Address, 924, 1021
Mutiny, Comm. *cl.* 22, 39, 43, 44, 46, 47; *cl.* 23, 55, 56, 59; *cl.* 26, 126; *cl.* 39, 129; *cl.* 41, 134; *cl.* 44, 135; *cl.* 48, 138; *cl.* 56, 142, 143, 144, 146; *cl.* 57, 147; *cl.* 97, 150; *add. cl.* 157, 168; 3R. 208, 211
War Office Clerks, 284

HARDY, Mr. J. S., *Rye*
Railway Time Tables, 1690

HARMAN, Mr. E. R., KING-, *Sligo*
Earl of Leitrim, Murder of, Res. 1261, 1262
Mutiny and Marine Mutiny Acts, Motion for a Select Committee, 1192
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 357; *cl.* 1, 640, 1813, 1836, 1849, 1851

HARROWBY, Earl of
Bishoprics, Report, 958

HARTINGTON, Right Hon. Marquess of, *New Radnor*
Customs and Inland Revenue, 3R. 1669, 1685
Eastern Question—Miscellaneous Questions
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Message from the Queen — Army Reserve Forces, 289; Motion for an Address, 1014, 1021
Military Forces—Expenses of Indian Contingent, 1597, 1721, 1724, 1884
Mutiny, Comm. *add. cl.* 168
Parliament—Breach of Privilege, 670
Orders of the Day, Postponement of Motions, 963
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HAVELOCK, Sir H. M., *Sunderland*
Army—Commissariat Department, Officers of, 201
Military Forces of the Crown—The Indian Contingent, 1688;—Pay of Officers, 1718
Mutiny, Comm. *cl.* 48, 140; *cl.* 56, 144; *cl.* 57, 148

HAY, Admiral Right Hon. Sir J. C. D., *Stamford*
Eastern Question—Negotiations, 1440

HENNIKER, Lord
Locomotion—Railway Passenger Duty, Motion for a Select Committee, 281
Railway Returns (Continuous Brakes), 1R. 1083; Comm. Schedule 3, 1361

HENRY, Mr. Mitchell, *Galway Co.*
Customs and Inland Revenue, 3R. 1683, 1745
Mutiny, Comm. *cl.* 22, 43, 49; *cl.* 23, 55, 56, 57; *cl.* 39, 129; *cl.* 48, 137; *add. cl.* 156, 161, 164, 165
Vaccination Law (Penalties), 2R. 499
Ways and Means—Financial Statement, Comm. 599, 606

HERMON, Mr. E., *Preston*
Financial Schedules, 287
Message from the Queen — Army Reserve Forces, 296
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Supply—House of Lords, Offices of the, 1456
Ways and Means, Report, 745

Herring Fishery Commission Report—Legislation
Question, The Marquess of Lorne; Answer, Mr. Assheton Cross *May* 10, 1690

HERSCHELL, Mr. F., *Durham*
Customs and Inland Revenue, Comm. *cl.* 12, 1314, 1317; *cl.* 13, 1320
Judicial Appointments, Res. 1923
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 1829, 1851

Hertford College—University Tests Act, 1871
Question, Mr. Watkin Williams; Answer, The Attorney General *May* 9, 1593

HERVEY, Lord F., *Bury St. Edmunds*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 626

HIBBERT, Mr. J. T., *Oldham*
Criminal Law (Indictable Offences), Leave, 1957
Ways and Means, Comm. 1135

Highways Bill (*Mr. Sclater-Booth, Mr. Salt*)
c. Adjourned Debate on Question [18th February], "That the Bill be now read 2°" resumed *April* 12, 1257; after short debate, Question put, and agreed to; Bill read 2° [Bill 95]

Highways (South Wales) Bill
(*Mr. Hussey Vivian, Mr. Christopher Talbot, Mr. Dillwyn, Viscount Emlyn*)
c. Ordered; read 1°* *May* 8 [Bill 160]
Read 2°* *May* 14

HILL, Mr. A. Staveley, *Staffordshire, W.*
Judicial Appointments, Res. 1925, 1936

HOGG, Lt.-Colonel Sir J. M., *Truro*
Local Government and Taxation in London, Res. 696

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HOGG, Lieut.-Colonel Sir J. M.—*cont.*
  Metropolis Management and Building Acts Amendment, Comm. *cl.* 4, Amendt. 755; *cl.* 8, Amendt. *ib.*; *cl.* 10, Amendt. *ib.*; *cl.* 15, Amendt. 756; *cl.* 18, Amendt. 757; *cl.* 20, Amendt. *ib.*; *cl.* 22, Amendt. *ib.*; *cl.* 23, Amendt. *ib.*

HOLKER, Sir J. (*see* ATTORNEY GENERAL, The)

HOLMS, Mr. J., *Hackney*
  Army—Militia Reserve, 855
  Customs and Inland Revenue, Comm. *cl.* 3, 1301
  Military Forces of the Crown—The Indian Contingent, 1520
  Mutiny, Comm. *cl.* 23, 54

HOLMS, Mr. W., *Paisley*
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 1853
  Ways and Means, Comm. 1124

HOLT, Mr. J. M., *Lancashire, N.E.*
  Cruelty to Animals Act, 1876—Licences, 1091

HOPWOOD, Mr. C. H., *Stockport*
  County Courts, 2R. Bill withdrawn, 1568
  Customs and Inland Revenue, Comm. Amendt. 1289; *cl.* 17, 1322, 1334
  Parliament—Easter Recess, 1397
  Post Office—Indian Mails, 1283
  Ways and Means, Comm. 1141

Hospitals, &c. (Scotland) Bill
(*Mr. M'Laren, Mr. Maitland, Dr. Cameron*)
c. Order for 2R. discharged; Bill withdrawn *April* 10, 1072 [Bill 21]

HOUGHTON, Lord
  Bishoprics, 2R. Amendt. 4, 21; Report, 957
  Locomotion—Railway Passenger Duty, Motion for a Select Committee, 280
  Message from the Queen—Army Reserve Forces, Motion for an Address, 820
  Railway Returns (Continuous Brakes), 1R. 1086
  Union of Parishes (Metropolis)—Destruction of City Churches, 1087

HOWARD, Mr. E. S., *Cumberland, E.*
  Customs and Inland Revenue, Comm. *cl.* 21, Amendt. 1348

HUBBARD, Right Hon. J. G., *London*
  Congé d'élire, 2R. Amendt. 1546
  Customs and Inland Revenue, Comm. *cl.* 12, 1308, 1313, 1316; *cl.* 13, Amendt. 1318
  Parliament—Easter Recess, 1394
  Ways and Means—Financial Statement, Comm. 571; Report, 1242

HUNTLY, Marquess of
  Education (Scotland), 2R. 280

Hypothec (Scotland) (No. 3) Bill [Bill 101]
(*Sir George Balfour, Lord Douglas Gordon, Mr. Laing, Mr. James Barclay*)
c. Moved, "That the Bill be now read 2°" *April* 3, 508 [*cont.*

Hypothec (Scotland) (No. 3) Bill—cont.
  Amendt. to leave out "now," and add "upon this day six months" (*Sir William Cuninghame*); Question proposed, "That 'now,' &c.;" Debate adjourned

Idiots, &c. (Ireland) Bill (*Mr. Arthur Moore, Mr. Meldon, Mr. O'Shaughnessy*)
c. Ordered; read 1°* *April* 10 [Bill 149]

INCHIQUIN, Lord
  Crime in Ireland, Res. 1214

Inclosure Provisional Orders Bill [H.L.]
(*The Lord Steward*)
l. Presented; read 1ª*, and referred to the Examiners *April* 5 (No. 64)
  Read 2ª* *May* 14

INDIA
  MISCELLANEOUS QUESTIONS
  Bengal Medical Regulations, Question, Mr. O'Donnell; Answer, Colonel Loyd Lindsay *April* 2, 414
  Bombay Town Hall, Questions, Mr. O'Donnell, Mr. John Bright; Answers, Lord George Hamilton *April* 2, 415
  Public Meetings, Questions, Mr. Fawcett; Answers, Mr. Gathorne Hardy *April* 5, 666
  The Moar Succession, Question, Mr. Ernest Noel; Answer, Sir Michael Hicks-Beach *April* 12, 1228
  The Recent Famine in Bombay, Question, Mr. Potter; Answer, Mr. Gathorne Hardy *April* 9, 959
  Trade between India and China, Question, Mr. Grant; Answer, Mr. E. Stanhope *April* 15, 1286

India—East India (*Increase of Taxation*)
  Moved, "That this House regrets that the people of Madras and Bombay should be burdened with the increased salt duty which has been recently imposed upon them, and is of opinion that such increase would be unnecessary if the finances of India were administered with greater economy" (*Mr. Fawcett*) *April* 2, 417; after long debate, Question put; A. 87, N. 163; M. 76 (D. L. 93)
  Moved, "That this House, whilst admitting the expediency of creating a fund in India for the relief of famines, objects to the Trades Licence Tax, which will alone be imposed on those engaged in business, and will moreover fall upon small traders and artizans with undue severity" (*Mr. Fawcett*); Question put; A. 96, N. 159; M. 63 (D. L. 94)

Industrial Schools
  Question, Mr. O'Reilly; Answer, Mr. Assheton Cross *April* 8, 855

Interments in Churchyards Bill
(*Mr. Ritchie, Mr. Gorst, Mr. Woodd, Mr. Sampson Lloyd*)
c. 2R. deferred, after short debate *April* 16, 1416 [Bill 123]

IRELAND
MISCELLANEOUS QUESTIONS
Appointment of a Coroner for Westmeath, Question, Mr. Stacpoole ; Answer, The Attorney General for Ireland *April* 15, 1287
Colour Sergeant M'Carthy, Question, Mr. O'Connor Power ; Answer, Mr. Assheton Cross *Mar* 28, 119
Industrial Schools, Question, Mr. O'Reilly ; Answer, Mr. J. Lowther *April* 5, 671
Industrial Schools Act, Question, Mr. O'Reilly ; Answer, Mr. J. Lowther *April* 1, 287
Inland Revenue — Dog Tax, Question, Mr. Charles Lewis ; Answer, Mr. J. Lowther *May* 7, 1517
Intermediate Education, Question, Mr. O'Shaughnessy ; Answer, Mr. J. Lowther *May* 9, 1593
Law and Justice—Mr. Justice Keogh, Question, Mr. Sullivan ; Answer, Mr. J. Lowther *Mar* 26, 37
Law and Police—Procession at Londonderry, Question, Mr. Macartney ; Answer, Mr. J. Lowther *Mar* 28, 114
Royal Irish Constabulary, Question, Mr. Arthur Moore ; Answer, Mr. J. Lowther *April* 1, 284
The Irish Fisheries—Mackerel Fishery at Kinsale, Question, Mr. Collins ; Answer, The Attorney General for Ireland *April* 15, 1284
The Moycullen Dispensary, Question, Major Nolan ; Answer, Mr. J. Lowther *Mar* 28, 116
The Queen's Colleges—The Irish Language, Question, Mr. O'Connor Power ; Answer, Mr. J. Lowther *April* 5, 672

Ireland—Crime in
Moved to resolve, That it is the duty of Her Majesty's Government to ask for such measures as may enable them more effectually to suppress outrage and enforce security of life in Ireland (*The Lord Oranmore and Browne*) *April* 12, 1195 ; after debate, Motion withdrawn
Moved for, Returns showing all crimes against human life, firing into dwelling houses, administering of unlawful oaths, demands for money, threatening letters or other intimidation, incendiary fires, robbery of arms, which have been reported by the Royal Irish Constabulary between 1st January 1875 and 28th February 1878, distinguishing so far as can be done agrarian crimes, and showing whether any person or persons have been prosecuted for such offences, and whether acquitted or found guilty (*The Lord Oranmore and Browne*); Motion agreed to ; Returns ordered to be laid before the House

Ireland—The Murder of the late Earl of Leitrim
Question, The Marquess of Hamilton ; Answer, Mr. J. Lowther *April* 2, 416 ; Questions, Mr. Clive, Mr. Gladstone ; Answers, Mr. J. Lowther *April* 5, 665 ; Question, Mr. Whitwell ; Answer, The Attorney General for Ireland *April* 11, 1095
Resolution (*Mr. O'Donnell*) *April* 12, 1259
Notice being taken, that Strangers are present, Mr. Speaker forthwith put the Question, "That Strangers be ordered to withdraw ;" A. 57, N. 12 ; M. 45
Div. List, A. and N., 1262

[cont,

Ireland—The Murder of the late Earl of Leitrim—cont.
After some time (Strangers having been re-admitted)
Amendt. on Committee of Supply, To leave out from "That," and add "the action of the Government in Donegal with reference to the murder of the late Lord Leitrim is unconstitutional, unsuited to promote the ends of justice, and calculated to foster disbelief in the impartiality of the Law" (*Mr. O'Donnell*) *v.* ; Question proposed, "That the words, &c. ;" Question put, and agreed to
Questions, Mr. Lambert, Mr. Sullivan ; Answers, The Attorney General for Ireland *April* 16, 1365

Ireland—National School Teachers
Moved, "That the 'National School Teachers (Ireland) Act, 1875,' and the other means adopted by the Government, having failed to satisfy the just demands of the Irish National School Teachers, this House is of opinion that the present position of the Irish National School Teachers, and the discontent which prevails amongst that important body of public servants, call for the immediate attention of Her Majesty's Government, with a view to a satisfactory adjustment of their claims" (*Mr. Meldon*) *May* 7, 1521
After short debate, Amendt. to leave out "and the discontent which prevails amongst that important body of public servants call," and insert "calls" (*Mr. James Lowther*) *v.* ; Question, "That the words, &c.," put, and negatived ; word "calls" inserted
Main Question, as amended, put, and agreed to

Irish Church Act (1869) Amendment Bill (*Mr. Parnell, Mr. Fay*)
c. Moved, "That the Bill be now read 2°" *April* 2, 474 [Bill 116]
[House counted out]

Irish Church Temporalities Commissioners—Sale of Lands
Observations, Mr. Parnell ; short debate thereon *May* 9, 1601

ISAAC, Mr. S., *Nottingham*
Customs and Inland Revenue, Comm. *cl.* 12, 1309
Railways—Sir Francis Goldsmid, The late, 1689
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 344 ; *cl.* 1, Motion for reporting Progress, 1821

JACKSON, Sir H. M., *Coventry*
Customs and Inland Revenue, Comm. *cl.* 12, 1306
Employers Liability for Injuries, 2R. 1063
Factories and Workshops, 3R. 266
Joint Stock Companies Acts, 1862 and 1867, Res. 1707
Land Registration, Motion for a Select Committee, 1900
Parliament—Orders of the Day, Postponement of Motions, 963

JAMES, Sir H., *Taunton*
Judicial Appointments, Res. 1909, 1935, 1936
Military Forces of the Crown—Indian Contingent, 1688;—Numbers, 1717
Mutiny, Comm. *cl.* 48, 140; *cl.* 56, 145
Parliament—Privilege—Mr. O'Donnell and "The Globe," Res. 1401, 1405
Parliamentary and Municipal Elections (Hours of Polling), Nomination of Select Committee, 472

JAMES, Mr. W. H., *Gateshead*
Local Government and Taxation in London, Res. 700
Parochial Charities of the City of London, Res. 1694, 1704
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 1838
Supply—Charity Commission, 1613

JENKINS, Mr. D. J., *Penryn, &c.*
Navy—H.M.S. "Vanguard," 858

JENKINS, Mr. E., *Dundee*
Customs and Inland Revenue, 3R. 1754
Eastern Question—Negotiations, 1447
Message from the Queen—Army Reserve Forces, Motion for an Address, Motion for Adjournment, 942, 964
Military Forces of the Crown—The Indian Contingent, 1520
Paris Exhibition—Government Workmen, 1716
Parliament—Easter Recess, 1390, 1394
Prisons Act, 1877—Regulations, 1716
Supply—House of Lords, Offices of the, 1456; Amendt. 1458, 1459, 1472

JENKINSON, Sir G. S., *Wiltshire, N.*
Parliament—Privilege, 535

JOHNSTONE, Sir H., *Scarborough*
China—Outrage at Hong Kong, 525

Joint Stock Companies Acts, 1862 *and* 1867
Amendt. on Committee of Supply *May* 10, To leave out from "That," and add "in the opinion of this House, further provision is required for securing the bonâ fide character of undertakings registered under and for enforcing the returns required by the Joint Stock Companies Acts of 1862 and 1867" (*Mr. Gregory*) *v.*, 1705; Question proposed, "That the words, &c.;" after short debate, Question put, and agreed to

Judicial Appointments
Moved, "That, in the opinion of this House, it is inexpedient that officers elected by any representative body should, in consequence of their being so elected, be empowered to try indictable offences" (*Sir Henry James*) *May* 14, 1909

[*cont.*

Judicial Appointments—cont.
Amendt. to leave out from "That," and add "the privilege of electing the judicial officers of the Corporation of the City of London, vested in that Corporation, having been expressly approved by the Royal Commissioners appointed in 1854, this House is of opinion that no circumstances have since transpired which call for the interference of Parliament" (*Mr. Charles Lewis*) *v.*; Question proposed, "That the words, &c.;" after debate, Question put; A. 57, N. 102; M. 45 (D. L. 131)
Words added; main Question, as amended, put, and agreed to

KAVANAGH, Mr. A. M., *Carlow Co.*
Borough Franchise (Ireland), 2R. 1969
Poor Law Guardians (Ireland) Election, 2R. 86

KAY-SHUTTLEWORTH, Sir U. J., *Hastings*
Local Government and Taxation in London, Res. 672, 714
Parochial Charities of the City of London, Res. 1704

KENEALY, Dr. E. V., *Stoke-upon-Trent*
Criminal Law—Rev. Mr. Dodwell, 1094
Earl of Leitrim, Murder of, Res. Motion for Adjournment, 1259, 1261
Mutiny, Comm. *cl.* 22, 52
Navy—H.M.S. "Beagle"—Judicial Powers of Naval Commanders—Execution of a Native of Tanna, 527, 528
Parliament—Breach of Privilege, 669, 670, 671
  Privileges of the House, 1712
Ways and Means—Financial Statement, Comm. 575

KENNAWAY, Sir J. H., *Devon, E.*
Elementary Education Act, 1876—School Certificates of Birth, 528

KIMBERLEY, Earl of
Matrimonial Causes Acts Amendment, *add. cl.* 191
Mauritius—Coolie Immigration, 650
Message from the Queen—Army Reserve Forces, Motion for an Address, 837, 839, 840
South Africa—Outbreak of Native Tribes, 1265
Victoria—Constitutional Crisis, 268

KNATCHBULL-HUGESSEN, Right Hon. E. H., *Sandwich*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 626, 631
South Africa—Position of Affairs, 1367, 1368, 1692

KNIGHT, Mr. F. W., *Worcestershire, W.*
Public Works Loans, 2R. 621
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 633

KNIGHTLEY, Sir R., *Northamptonshire, S.*
Mutiny, Comm. *cl.* 26, 123

Knowles, Mr. T., *Wigan*
Customs and Inland Revenue, Comm. *cl.* 12, 1306, 1312
Parliament—Morning Sittings, 1238

Laing, Mr. S., *Orkney, &c.*
Customs and Inland Revenue, 3R. 1758
Eastern Question—Negotiations, 1439
Ways and Means—Comm. 1179

Lambert, Mr. N. G., *Bucks*
Crime (Ireland)—Murder of the Earl of Leitrim and others, 1365

Land Registration
Moved, "That a Select Committee be appointed to inquire and report whether any and what steps ought to be taken to simplify and secure the title of land and to facilitate the transfer thereof" (*Mr. Osborne Morgan*) *May* 14, 1885; after debate, Motion withdrawn
Select Committee appointed, "to inquire and report whether any and what steps ought to be taken to simplify the title to land, and to facilitate the transfer thereof, and to prevent frauds on purchasers and mortgagees of land"
And, on May 22, Committee nominated; List of the Committee, 1909

Law and Justice
Ireland—Mr. Justice Keogh, Question, Mr. Sullivan; Answer, Mr. J. Lowther *Mar* 26, 37
Judges' Substitutes, Question, Mr. Dillwyn; Answer, Sir Henry Selwin-Ibbetson *April* 8, 858

Lawson, Sir W., *Carlisle*
Burial Law Amendment, Leave, 1359
Eastern Question—The Reserves, 207
Message from the Queen—Army Reserve Forces, Motion for an Address, Amendt. 893, 1037
Parliament—Easter Recess, 1375
Post Office—Postmasterships, Res. 215
Public Petitions Committee, Report, 1222

Lee, Major Vaughan H. V., *Somerset, W.*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, Motion for Adjournment, 1848

Leeman, Mr. G., *York*
Criminal Law (Indictable Offences), Leave, 1957
Hypothec (Scotland) (No. 3), 2R. 512

Lefevre, Mr. G. J. Shaw, *Reading*
Crete—The Correspondence, 217, 667
Employers Liability for Injuries, 2R. 1059
Land Registration, Motion for a Select Committee, 1903
Parliament—Orders of the Day, Postponement of Motions, 964
Turkey—Crete, 1372

Leslie, Sir J., *Monaghan*
Borough Franchise (Ireland), Comm. 1978
National School Teachers (Ireland), Res. 1533

Lewis, Mr. C. E., *Londonderry*
Absentee Proprietors (Ireland), 2R. Amendt. 1589
Borough Franchise (Ireland), 2R. 1982
Inland Revenue—Dog Tax (Ireland), 1517
Judicial Appointments, Res. Amendt. 1918
National School Teachers (Ireland), Res. 1530
Queen's Colleges and University (Ireland), 2R. 1991
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 322; *cl.* 1, 1821, 1828, 1850, 1851
Supply—Stationery Office, 1800, 1806
Ways and Means, Comm. 1116

Lewis, Mr. H. O., *Carlow*
Borough Franchise (Ireland), 2R. 1980

Libel Law Amendment Bill [Bill 81]
(*Mr. Hutchinson, Dr. Cameron, Mr. Cowen, Mr. Puleston, Mr. Morley, Mr. Waddy, Mr. Edward Jenkins, Colonel Gourley*)
c. Order read, for resuming Adjourned Debate on Question [15th March], "That the Bill be now read 2°" *Mar* 29, 267 [House counted out]

Life Assurance Companies Act, 1870—*Accounts of Insurance Companies*
Question, Mr. Pease; Answer, Sir Charles Adderley *April* 4, 519

Lifford, Viscount
Crime in Ireland, Res. 1210

Lincoln, Bishop of
Bishoprics, 3R. 1861

Lindsay, Lord, *Wigan*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 1852

Lindsay, Colonel R. J. Loyd (Financial Secretary for War), *Berkshire*
Army—Miscellaneous Questions
  Militia Reserve, 855
  Quartermasters, 854, 1286
  Royal Artillery, 521
Bengal Medical Regulations, 415
Militia Volunteers for Service, 413, 414
Mutiny, Comm. *cl.* 26, 65

Lloyd, Mr. M., *Beaumaris*
County Courts, 2R. Bill withdrawn, 1570
Supply—Lord Privy Seal, 1502

Lloyd, Mr. S. S., *Plymouth*
Bills of Sale, Comm. *cl.* 6, 753; *cl.* 8, Amendt. *ib.*; *cl.* 9, Amendt. *ib.*; Amendt. 754; *cl.* 17, Amendt. *ib.*; *cl.* 23, Amendt. *ib.*
County Courts, 2R. Bill withdrawn, 1569
Education Department—Religious Instruction, 530
  School Board Elections, 529
Ways and Means, Comm. 1127

Local Courts of Bankruptcy (Ireland) Bill (*Mr. Attorney General for Ireland, Mr. James Lowther*)
c. Ordered * *April* 2
Read 1° * *April* 5 [Bill 145]

Local Government and Taxation in London
Amendt. on Committee of Supply *April* 5, To leave out from "That," and add "in the opinion of this House, the present state of Local Government in London is unsatisfactory, and calls for reform" (*Sir Ughtred Kay-Shuttleworth*) *v.*, 672; Question proposed, "That the words, &c.;" after long debate, Question put; A. 116, N. 73; M. 43 (D. L. 99)

Local Government (Ireland) Provisional Order (Artizans' and Labourers' Dwellings) (Cork) Bill
(*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Ordered; read 1° * *May* 15 [Bill 180]

Local Government Provisional Order (Darenth Valley) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1° * *May* 9 [Bill 175]

Local Government Provisional Orders (Abergavenny Union, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered * *May* 7
Read 1° * *May* 8 [Bill 166]

Local Government Provisional Orders (Abingdon, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1° * *April* 4 [Bill 142]
Read 2° * *April* 10
Committee *; Report *May* 8
Read 3° * *May* 9
l. Read 1ª * (*The Lord President*) *May* 13 (No. 83)

Local Government Provisional Orders (Artizans' and Labourers' Dwellings) Bill (*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered * *May* 7
Read 1° * *May* 8 [Bill 162]

Local Government Provisional Orders (Belper Union, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered * *May* 7
Read 1° * *May* 8 [Bill 164]

Local Government Provisional Orders (Birmingham, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered * *May* 7
Read 1° * *May* 8 [Bill 165]

Local Government Provisional Orders (Boldre, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered * *May* 7

Local Government Provisional Orders (Bournemouth, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1° * *May* 8 [Bill 168]

Local Government Provisional Orders (Bristol, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Considered * *Mar* 26 [Bill 112]
Read 3° * *Mar* 27
l. Read 1ª * (*Lord Hartismere*) *Mar* 28 (No. 53)
Read 2ª * *April* 8
Committee *; Report *April* 12
Read 3ª * *April* 15
Royal Assent *April* 16 [41 *Vict.* c. viii]

Local Government Provisional Orders (Dawlish, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1° * *May* 8 [Bill 167]
Read 2° * *May* 14

Local Government Provisional Orders (Droitwich, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered * *May* 7
Read 1° * *May* 8 [Bill 163]
Read 2° * *May* 14

Local Taxation and Government (Scotland)
Question, Sir George Campbell; Answer, Mr. Assheton Cross *May* 13, 1719

LONDON, Bishop of
National Museums and Galleries, Opening of, on a Sunday, 405
Union of Parishes (Metropolis)—Destruction of City Churches, 1087

LORNE, Marquess of, *Argyllshire*
Herring Fishery Commission, Report, 1690

LOWE, Right Hon. R., *London University*
Employers Liability for Injuries, 2R. 1066
Judicial Appointments, Res. 1928
Local Government and Taxation in London, Res. 720, 721

LOWTHER, Right Hon. J. (Chief Secretary for Ireland), *York City*
Borough Franchise (Ireland), 2R. 1984
Elementary Education Act, 1870—School Inspection, 525
Food and Drugs Act, 1875 — Adulterated Liquor, 1518

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LOWTHER, Right Hon. J.—*cont.*
- Ireland—Miscellaneous Questions
  - Earl of Leitrim, Murder of, 416, 665, 666
  - Industrial Schools Act, 287, 671
  - Inland Revenue—Dog Tax, 1518
  - Intermediate Education, 1594
  - Law and Justice—Mr. Justice Keogh, 37
  - Law and Police—Procession at Londonderry, 115
  - Moycullen Dispensary, 116
  - Public Health, 1883
  - Queen's College—Irish Language, 672
- Irish Church Temporalities Commissions—Sale of Lands, 1605
- National School Teachers (Ireland), Res. Amendt 1536
- Parliamentary and Municipal Elections (Hours of Polling), Nomination of Select Committee, 473
- Poor Law Guardians (Ireland) Election, 2R. 91, 94
- Royal Irish Constabulary, 285
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 366, 367, 374, 376, 378; *cl.* 1, 623, 637, 642, 643, 644, 1825, 1834, 1837, 1838, 1840, 1842, 1844, 1850, 1851, 1852
- Supply—Civil Services and Revenue Departments, 245
- Tenant Right (Ireland), 2R. 1587

LUBBOCK, Sir J., *Maidstone*
- Parliament—Public Business—Easter Recess, Res. 1103
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 383
- Supply—Civil Services and Revenue Departments, 182
- Ways and Means—Financial Statement, Comm. 563

LUSH, Dr. J. A., *Salisbury*
- Supply—Patent Law Amendment Act, &c. 1766
- Vaccination Law (Penalties), 2R. 491

LUSK, Sir A., *Finsbury*
- Customs and Inland Revenue, Comm. *cl.* 3, 1297, 1302; *cl.* 12, 1309, 1313, 1316, 1318; *cl.* 15, 1320, 1321; *cl.* 17, 1331; *cl.* 20, 1347
- Parliament—Morning Sittings, 1234
- Parochial Charities of the City of London, Res. 1703
- Post Office—Postmasterships, Res. 215
- Public Works Loans, Comm. *cl.* 5, 1355
- Supply—Charity Commission, 1612
  - Comptroller and Auditor General of the Exchequer, 1620
  - Friendly Societies, 1627
  - Home Office, 1484
  - House of Lords, Offices of the, 1452, 1455, 1460, 1471
  - Mint, Coinage, &c. 1761, 1762, 1763
  - Patent Law Amendment Act, &c. 1766
  - Privy Council for Trade, &c. Committee of, 1608, 1609
  - Privy Council Office, 1491, 1492
  - Stationery Office, 1783, 1794
- Ways and Means, Report, 1244

MACARTNEY, Mr. J. W. E., *Tyrone*
- Law and Police (Ireland)—Procession at Londonderry, 114
- Parliament—Morning Sittings, 1238
- Poor Law Guardians (Ireland) Election, 2R. 82
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 380; *cl.* 1, 1845, 1847
- Supply—Stationery Office, 1804
- Tenant Right (Ireland), 2R. 1587

MACDONALD, Mr. A., *Stafford*
- Coal Mines—Blantyre Explosion, 1882
- Employers Liability for Injuries, 2R. 1042
- Explosives Act, 1875—Mining Cartridges, 1227, 1228
- Factories and Workshops, 3R. 266
- Parliament—Public Business—Easter Recess, Res. 1097, 1098, 1102, 1103
- Supply—Civil Service Commission, 1619
  - Comptroller and Auditor General of the Exchequer, 1622
  - Friendly Societies, 1628
  - Local Government Board, &c. 1643, 1647
  - Mint, Coinage, &c. 1762
  - Patent Law Amendment Act, &c. 1765, 1767; Amendt. 1770, 1771
  - Paymaster General in London and Dublin, 1777
  - Stationery Office, 1790

MAC IVER, Mr. D., *Birkenhead*
- East India (Increase of Taxation), Res. Amendt. 430

MCKENNA, Sir J. N., *Youghal*
- Absentee Proprietors (Ireland), 2R. 1589
- Bills of Exchange—Acceptance, 962
- Customs and Inland Revenue, Comm. *cl.* 3, 1300
- Dublin Tramways, 2R. 25
- Mutiny, Comm. *cl.* 23, 59
- Public Petitions Committee, Report, 1224
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 346, 373, 378, 381; Motion for Adjournment, 386, 389, 390, 392; *cl.* 1, 622, 626; Motion for Adjournment, 1828, 1844, 1847, 1849, 1851
- Supply—Civil Services and Revenue Departments, 240
  - Lord Privy Seal, 1504
  - Paymaster General in London and Dublin, 1778
  - Stationery Office, 1803, 1805, 1808
- Vaccination Law (Penalties), 2R. 495

MCLAGAN, Mr. P., *Linlithgowshire*
- Railway Passenger Duty, 526
- Ways and Means—Financial Statement, Comm. 587

MCLAREN, Mr. D., *Edinburgh*
- Hospitals, &c. (Scotland), 2R. Bill withdrawn, 1072
- Military Forces of the Crown—The Indian Contingent—Estimate, 1723
- Mutiny, Comm. *cl.* 26, 127
- National School Teachers (Ireland), Res. 1531
- Parliament—Easter Recess, 1396

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McLaren, Mr. D.—*cont.*
Prisons (Scotland) Act—Prison Board Clerks, 1368
Supply—Charity Commission, 1614
Comptroller and Auditor General of the Exchequer, 1623
House of Lords, Offices of the, 1464, 1469, 1471
Privy Council Office, 1495, 1496
Ways and Means—Financial Statement, Comm. 588

Makins, Lieut.-Colonel W. T., *Essex, S.*
Customs and Inland Revenue, Comm. *cl.* 13, Amendt. 1319, 1320

Manners, Right Hon. Lord J. J. R. (Postmaster General), *Leicestershire, N.*
Local Government and Taxation in London, Res. 722, 731
Parliament—Privilege—Mr. O'Donnell and "The Globe," Res. 1404
Post Office—Indian Mails, 1283
Money Order Office—Salaries, 1882
Post Office—Mail Contracts, Res. 1600
Post Office—Postmasterships, Res. 216

Marine Mutiny Bill
(*Mr. William Henry Smith, Mr. Algernon Egerton, Sir Massey Lopes*)
c. Committee*; Report *Mar* 29
Read 3^{o}* *April* 1
l. Read 1^{a}* (*The Lord President*) *April* 2
Read 2^{a}* *April* 4 (No. 94)
Committee*; Report *April* 5
Read 3^{a}* *April* 8
Royal Assent *April* 16 [41 *Vict.* c. 11]

Marriage with a Deceased Wife's Sister Bill (*Sir Thomas Chambers, Mr. Morley, Mr. Macdonald, Dr. Cameron*)
c. Bill withdrawn* *May* 14 [Bill 52]

Marten, Mr. A. G., *Cambridge*
Borough Franchise (Ireland), 2R. 1980
Land Registration, Motion for a Select Committee, 1902

Martin, Mr. P., *Kilkenny Co.*
Parliamentary and Municipal Elections (Hours of Polling), Nomination of Committee, 474

Massey, Right Hon. W. N., *Tiverton*
East India (Increase of Taxation), Res. 452

Matrimonial Causes Acts Amendment Bill (*The Lord Sudeley*)
l. Committee *Mar* 29, 186 (No. 34)
Report *April* 2, 395 (No. 55)

Mauritius, The—Coolie Immigration
Question, Observations, The Earl of Kimberley; Reply, Earl Cadogan; short debate thereon *April* 5, 650

Medical Act, 1858, Amendment Bill
(*The Lord President*)
l. Read 2^{a}, after short debate *April* 15, 1267 (No. 44)

Meldon, Mr. C. H., *Kildare*
Acknowledgment of Deeds by Married Women (Ireland), 2R. 1959
Army—Medical Officers, Supply of—Report of Committee, 1228
Borough Franchise (Ireland), 2R. 1960, 1984
Employers Liability for Injuries, 2R. 1671
Irish Church Temporalities Commissioners—Sale of Lands, 1604
National School Teachers (Ireland), Res. 1521, 1537, 1539
Parliament—Morning Sittings, 1232
Parliament—Public Business—Easter Recess, Res. 1103
Public Petitions Committee, Report, 1221
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 385, 389; *cl.* 1, 1843, 1849, 1852
Supply—Paymaster General in London and Dublin, 1779, 1780
Stationery Office, 1783, 1794
Treasury, 1483

Mellor, Mr. T. W., *Ashton-under-Lyne*
Poor Law Amendment Act (1876) Amendment—The Twenty-third Clause, 1724
Supply—Comptroller and Auditor General of the Exchequer, 1622
House of Lords, Offices of the, 1470
Local Government Board, &c. 1631, 1639
Patent Law Amendment Act, &c. 1764; Amendt. 1767

Mercantile Marine — The Cefn-y-wrach Shoal, Cardiff
Question, Mr. Plimsoll; Answer, Mr. E. Stanhope *Mar* 29, 204

Merewether, Mr. C. G., *Northampton*
Mutiny, Comm. *cl.* 48, 141

Metropolis
Miscellaneous Questions
Demolition of Houses—The Midland Railway Company, Question, Sir Thomas Chambers; Answer, Mr. Assheton Cross *April* 5, 664
Free Porters of the City of London, Question, Mr. Cowper-Temple; Answer, Mr. Assheton Cross *April* 5, 663
London Bridge, Question, Sir Henry Peek; Answer, The Chancellor of the Exchequer *May* 14, 1884
Public Health—Suburban Interments, Question, Mr. Benett-Stanford; Answer, Mr. Assheton Cross *April* 12, 1226
The Union of Benefices Act, Question, Mr. Percy Wyndham; Answer, Lord George Hamilton *April* 16, 1370
Union of Parishes — Destruction of City Churches, Question, Observations, Lord Houghton; Reply, The Bishop of London *April* 11, 1087
Water Supply, Question, Mr. Fawcett; Answer, Mr. Sclater-Booth *April* 15, 1285

Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.) Bill [H.L.]
(*The Lord Steward*)
l. Presented; read 1ª *, and referred to the Examiners *April* 4 (No. 61)

Metropolis Management and Building Acts Amendment Bill
(*Sir James M'Garel-Hogg, Sir Charles Russell, Mr. Rodwell*)
c. Committee * (*on re-comm.*)—R.P. *Mar* 28
Committee; Report *April* 5, 755 [Bill 132]
Considered * *April* 8
Read 3º * *April* 9
l. Read 1ª * *April* 11 (No. 72)

Metropolis Waterworks (Purchase) Bill
(*Sir James M'Garel Hogg, Sir Andrew Lusk, Mr. Grantham, Mr. Rodwell*)
c. Order for resuming the Adjourned Debate on the Amendment to the Second Reading [12th March], read *April* 5, 758; after short debate, Debate further adjourned [Bill 58]

Metropolitan Inner Circle Completion Bill (by Order)
c. Read 2º * *April* 1

Midleton, Viscount
Bishoprics, 2R. 19

Mills, Sir C., *Kent, W.*
Turkey—Murder of Mr. Ogle, 666

Mills, Mr. A., *Exeter*
Customs and Inland Revenue, 3R. 1743
Military Forces of the Crown—The Indian Contingent, 1688
Parliament—Public Business—Easter Recess, Res. 1098

Mines Act—Blasting—The Apedale Explosion
Question, Mr. Burt; Answer, Mr. Assheton Cross *Mar* 29, 202

Mines, Coal—The Blantyre Explosion
Question, Mr. Macdonald; Answer, Mr. Assheton Cross *May* 14, 1882

Minto, Earl of
Education (Scotland), 2R. 277
Precognition (Scotland)—Sudden or Suspicious Deaths, Motion for Returns, 647

Monk, Mr. C. J., *Gloucester City*
Blind and Deaf-Mute Children (Education), Comm. 1458
Congé d'élire, 2R. 1545
Crete—The Correspondence, 218, 1373
Customs and Inland Revenue, Comm. *cl.* 17, Amendt. 1321; *cl.* 20, 1342
Parliament—Easter Recess, 1381
Public Works Loans, 2R. 609, 619
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 1839, 1850
Supply—Patent Law Amendment Act, &c. 1774
Ways and Means—Financial Statement, Comm. 586; Amendt. 1148, 1160

Montagu, Right Hon. Lord R., *Westmeath*
Eastern Question—Congress, The, 526
Parliament—Breach of Privilege, 670
Easter Recess, 1382, 1387, 1389, 1397

Monuments (Metropolis) Bill (*Sir James M'Garel Hogg, Sir Charles Russell, Mr. Forsyth*)
c. Bill withdrawn * *April* 2 [Bill 133]

Monuments Metropolis (No. 2) Bill
(*Sir James M'Garel-Hogg, Sir Charles Russell, Mr. Forsyth*)
c. Ordered; read 1º * *April* 2 [Bill 140]
Read 2º * *May* 6

Moore, Mr. A. J., *Clonmel*
Food and Drugs Act, 1875 — Adulterated Liquor, 1518
Poor Law Guardians (Ireland) Election, 2R. 85
Public Works Loans, Comm. *add. cl.* 1355
Royal Irish Constabulary, 284
Supply—Civil Services and Revenue Departments, 241

Moore, Mr. S., *Tipperary*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 391

Morgan, Mr. G. Osborne, *Denbighshire*
County Courts, 2R. Amendt. Bill withdrawn, 1563
Land Registration, Motion for a Select Committee, 1885, 1900, 1909
Parliament—Business of the House, 121
Easter Recess, 1388

Morley, Earl of
National Museums and Galleries, Opening of, on a Sunday, 403
Threshing Machines, 2R. 518

Morley, Mr. S., *Bristol*
Bills of Sale, Consid. *add. cl.* 1264

Mowbray, Right Hon. J. R., *Oxford University*
Bermondsey Vestry, 2R. 1516

Mundella, Mr. A. J., *Sheffield*
- Customs and Inland Revenue, 2R. 1185
- Freshwater Fish Protection, 2R. 1190
- Message from the Queen — Army Reserve Forces, 296
- Parliamentary and Municipal Elections (Hours of Polling), Nomination of Committee, 473
- Ways and Means—Financial Statement, Comm. 563 ; Report, 746

Muntz, Mr. P. H., *Birmingham*
- Mutiny, Comm. *cl.* 39, 130
- Post Office—Postmasterships, Res. 214
- Supply—Patent Law Amendment Act, &c. 1774
- Vaccination Law (Penalties), 2R. 507
- Ways and Means, Report, 746 ; Comm. 1146

Mure, Colonel W., *Renfrew*
- South Africa—Outbreak of Native Tribes—Military Operations, 1229
- Vaccination Law (Penalties), 2R. 506

Murphy, Mr. N. D., *Cork City*
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. Motion for Adjournment, 299, 317, 322, 338, 361, 374, 385, 390, 393 ; *cl.* 1, 639, 1829, 1835, 1841, 1850, 1851, 1853

Mutiny and Marine Mutiny Acts
- Moved, "That a Select Committee be appointed to examine into the Acts commonly called the Mutiny Act and the Marine Mutiny Act, and into the Law relating to the subject-matters of those Acts, or made in pursuance of such Acts, and to report on any amendments it may be desirable to make therein, and on the form in which legislation on the matters aforesaid should be promoted ;" That the Committee do consist of Twenty-one Members ; List of the Committee *April* 11, 1191
- Moved, "That Instructions be given to the Committee to consider the propriety of granting an appeal from the decision of a regimental district, or general court martial to the Court of Queen's Bench, except in the case of courts martial held during war time" (*Mr. Stacpoole*) ; after short debate, Amendt. withdrawn ; Select Committee appointed and nominated

Mutiny Bill (*Mr. Secretary Hardy, The Judge Advocate, Colonel Loyd Lindsay*)
- *c.* Committee—r.p. *Mar* 26, 39
- Committee ; Report *Mar* 28, 122
- Read 3°, after short debate *Mar* 29, 207
- *l.* Read 1ª* (*The Lord Ashford*) *Mar* 29
- Read 2ª *April* 1, 280
- Committee ; Report *April* 2, 396
- Read 3ª* *April* 4
- Royal Assent *April* 16 [41 *Vict.* c. 10]

Naghten, Colonel A. R., *Winchester*
- Army — Militia — Commissions in the Line, 1719
- Army Reserve, 962

National Debt, The—The New Sinking Fund
- Question, Mr. Gorst ; Answer, The Chancellor of the Exchequer *April* 8, 856

Navy

Miscellaneous Questions
- *Foundering of H.M.S. "Eurydice,"* Question, Earl De La Warr ; Answer, Lord Elphinstone *Mar* 26, 1 ; Question, Mr. O'Clery ; Answer, The Chancellor of the Exchequer *Mar* 28, 119 ; Question, Captain Price ; Answer, Mr. W. H. Smith *April* 1, 286 ; Question, Observations, Lord Dunsany ; Reply, Lord Elphinstone *April* 4, 513 ; Question, The Earl of Wharncliffe ; Answer, Lord Elphinstone *April* 5, 646
- *H.M.S. "Beagle"—Execution of a Native of Tanna—Judicial Powers of Naval Commanders*, Questions, Dr. Kenealy ; Answers, Mr. W. H. Smith *April* 4, 527
- *H.M.S. "Vanguard,"* Question, Mr. D. Jenkins ; Answer, Mr. W. H. Smith *April* 8, 858
- *Naval Forces in the Pacific*, Question, Mr. Bates ; Answer, Mr. W. H. Smith *April* 5, 666
- *Naval Stations in the Pacific — Esquimalt Harbour*, Question, Sir Edward Watkin ; Answer, The Chancellor of the Exchequer *April* 15, 1283
- *Sale of Worn-out Boilers*, Question, Mr. Plimsoll ; Answer, Mr. W. H. Smith *Mar* 26, 34
- *The Naval Strength of the Country—Arming the Mercantile Marine*, Question, Sir Edward Watkin ; Answer, The Chancellor of the Exchequer *April* 8, 853
- *War Material at Tenedos*, Question, Sir George Campbell ; Answer, Mr. W. H. Smith *April* 11, 1095

Navy—Projectiles—Shells and Armour-plates
- Moved that there be laid before this House, Return of the trials of shells against iron plates, stating the general result, and also the weight and shape of the various shells, and the thickness of the iron targets" (*The Duke of Somerset*) *April* 15, 1271 ; after short debate, Motion withdrawn

Newdegate, Mr. C. N., *Warwickshire, N.*
- Customs and Inland Revenue, Comm. *cl.* 12, 1309, 1316 ; 3R. 1676, 1680, 1757
- Eastern Question—Negotiations, 1441
  - Treaty of San Stefano—The Maps, 206
- Local Government and Taxation in London, Res. 727
- Military Forces—Expenses of Indian Contingent, 1597, 1723
- Parliament—Morning Sittings, 1238
- Parliament — Privilege — Mr. O'Donnell and "The Globe," Res. 1401

New South Wales—Colonial Finance
- Question, Address for Papers, The Earl of Belmore *May* 14, 1867 ; after short debate, Motion agreed to

NOEL, Right Hon. G. J. (First Commissioner of Works), *Rutland*
East India (Increase of Taxation), Res. 448
India—The Moar Succession, 1228

NOEL, Mr. E., *Dumfries, &c.*
East India (Increase of Taxation), Res. 448

NOLAN, Major J. P., *Galway Co.*
Acknowledgment of Deeds by Married Women (Ireland), 2R. 1959
Army—First Class Army Reserve, 1692
Paymasters, 1092
Army and Militia Reserve—Families of Reserved Men, 1518, 1721
Customs and Inland Revenue, 2R. 1188; 3R. 1677
Eastern Question—Russia and England, 260
Ireland—Moycullen Dispensary, 116
Judicial Appointments, Res. 1936
Military Forces of the Crown—The Indian Contingent, 1691
Mutiny, Comm. *cl.* 26, Amendt. 62, 65
National School Teachers (Ireland), Res. 1534
Parliament—Business of the House, 121
Morning Sittings, 1238
Poor Law Guardians (Ireland) Election, 2R. 86, 94
Supply—Civil Service and Revenue Departments, Amendt. 178, 243
Comptroller and Auditor General of the Exchequer, 1621
House of Lords, Offices of the, 1464, 1471, 1477
Patent Law Amendment Act, &c. 1771, 1773, 1776
Stationery Office, 1791, 1804, 1809, 1811
Ways and Means—Financial Statement, Comm. 590, 606; Report, 745; Comm. 1154

NORTH, Colonel J. S., *Oxfordshire*
Army—New Line Ex-Indian Regiments—Report of Committee, 1594
Vaccination Law (Penalties), 2R. 506

NORTHBROOK, Earl of
Mauritius—Coolie Immigration, 653

NORTHCOTE, Right Hon. Sir S. H. (*see* Chancellor of the Exchequer)

North Eastern Railway Bill (by Order)
c. Read 2° * *April* 4

Noxious Vapours Commission—The Report
Question, Colonel Blackburne; Answer, Mr. Sclater-Booth *May* 13, 1720

O'BEIRNE, Major F., *Leitrim*
Army — Cavalry Colonels — Royal Warrant, 1878, 1093
Married Soldiers, 1717, 1883
Customs and Inland Revenue, Comm. *cl.* 20, 1347

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O'BEIRNE, Major F.—*cont.*
Mutiny, Comm. *cl.* 26, 65; *cl.* 39, Amendt. 128, 129, 131
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 623
Ways and Means, Comm. 1162

O'BRIEN, Sir P., *King's Co.*
Mutiny, Comm. *cl.* 48, 141; *cl.* 56, 144
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 638
Supply—Stationery Office, 1799
Ways and Means—Financial Statement, Comm. 568

O'CLERY, Mr. K., *Wexford Co.*
Mutiny, Comm. *cl.* 22, 48
Navy—H.M.S. "Eurydice," Foundering of, 119
Poor Law Guardians (Ireland) Election, 2R. 91
Post Office—Postmasterships, Res. 214
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 384; *cl.* 1, 637, 1814, 1836
Supply—House of Lords, Offices of the, 1466
Lord Privy Seal, 1507

O'CONOR, Mr. D. M., *Sligo Co.*
Tramways (Use of Mechanical Power) Bills, Res. Motion for Adjournment, 1277, 1282

O'CONOR DON, The, *Roscommon Co.*
Mutiny, Comm. *cl.* 39, 130, 132
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 337, 338, 362, 368, 373, 377, 381, 386, 393, 394; *cl.* 1, 623, 633, 643, 645, 1812, 1813, 1818, 1823, 1827, 1831, 1839, 1840, 1849, 1852, 1853
Supply—Civil Services and Revenue Departments, 181, 182
Stationery Office, 1807

O'DONNELL, Mr. F. H., *Dungarvan*
Earl of Leitrim, Murder of, Res. 1259, 1261
India—Bengal Medical Regulations, 414
Bombay Town Hall, 415, 416
Mutiny, Comm. *cl.* 22, 51, 53; *cl.* 23, 55, 59, 60, 61; *cl.* 41, 132, 134; *cl.* 44, 135; *cl.* 48, Amendt. *ib.*, 138; Amendt. *ib.*, 140, 141; *cl.* 56, Amendt. 142, 143, 145, 147; *cl.* 57, Amendt. *ib.*; *cl.* 97, 150; *add. cl.* Motion for Adjournment, 169
Parliament—Morning Sittings, 1239
Parliament — Privilege — Mr. O'Donnell and "The Globe," Res. 1399, 1402, 1404, 1411
Queen's Colleges and University (Ireland), 2R. 1990
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 645
Supply—Civil Services and Revenue Departments, Amendt. 229
Comptroller and Auditor General of the Exchequer, 1626
Local Government Board, &c. 1630, 1643, 1649
Mint, Coinage, &c. 1762; Amendt. 1763
Patent Law Amendment Act, &c. 1768, 1769, 1770; Amendt. 1772

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O'Donnell, Mr. F. H.—*cont.*
    Paymaster General in London and Dublin, 1776
    Stationery Office, 1784, 1785, 1786; Amendt. 1788, 1794, 1796, 1799; Motion for reporting Progress, 1801
  Ways and Means, Comm. 1161, 1162; Report, 1249

O'Gorman, Major P., *Waterford*
  Customs and Inland Revenue, 3R. 1685
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. Motion for Adjournment, 373; Motion for reporting Progress, 393, 394; *cl.* 1, 633, 640; Motion for reporting Progress, 641; Motion for Adjournment, 1815, 1839, 1844; Motion for reporting Progress, 1847; Motion for Adjournment, 1848

O'Hagan, Lord
  Crime in Ireland, Res. 1216, 1218

O'Neill, Hon. E., *Antrim*
  Tenant Right (Ireland), 2R. 1586

Onslow, Mr. D. R., *Guildford*
  Post Office—Mail Contracts, Res. 1599
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 323, 324, 325, 337; Motion for reporting Progress, 378, 393; *cl.* 1, 627, 1813, 1839
  Supply—Civil Services and Revenue Departments, 182
  Ways and Means, Comm. 1156

Opening of National Museums and Galleries on Sundays
  Question, Observations, Lord Thurlow; Reply, The Lord Chancellor; short debate thereon *April* 2, 396

Oranmore and Browne, Lord
  Bishoprics, 3R. 1865
  Crime in Ireland, Res. 1195, 1218

O'Reilly, Mr. M. W., *Longford Co.*
  Elementary Education Act, 1870—School Inspection, 525
  Industrial Schools, 855
  Industrial Schools Act (Ireland), 287, 671
  National Gallery—Purchase of Pictures (Civil Service Estimates), 119
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 383

O'Shaughnessy, Mr. R., *Limerick*
  Intermediate Education (Ireland), 1593
  Irish Church Temporalities Commissioners—Sale of Lands, 1606
  Mutiny, Comm. *add. cl.* 164
  Parliament—Privilege—Mr. O'Donnell and "The Globe," Res. 1403
  Poor Law Guardians (Ireland) Election, 2R. 81
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 384

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O'Shaughnessy, Mr. R.—*cont.*
  Supply—Civil Service Commission, Amendt. 1614, 1618
    Civil Services and Revenue Departments, 181, 237
    House of Commons, Offices of the, 1481
    House of Lords, Offices of the, 1473
    Paymaster General in London and Dublin, 1779
    Stationery Office, 1791, 1808

O'Sullivan, Mr. W. H., *Limerick Co.*
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 327, 330, 331, 368, 378, 388; Motion for Adjournment, 390, 392, 393; *cl.* 1, 624, 625, 626; Motion for reporting Progress, 627, 639, 1813, 1820, 1839, 1843; Motion for Adjournment, 1846; Motion for reporting Progress, 1848, 1851, 1852
  Supply—Civil Services and Revenue Departments, 182

Paget, Mr. R. H., *Somersetshire, Mid*
  Customs and Inland Revenue, 3R. 1681
  Eastern Question—Russia and Turkey—Treaty of San Stefano, 117
  Public Works Loans, 2R. 1254

Paris Exhibition, The — Government Workmen
  Question, Mr. E. Jenkins; Answer, Sir Henry Selwin-Ibbetson *May* 13, 1716

Parker, Colonel W., *Suffolk, W.*
  Customs and Inland Revenue, 3R. 1680

Parker, Mr. C. S., *Perthshire*
  Customs and Inland Revenue, Comm. *cl.* 20, 1342
  Ways and Means—Financial Statement, Comm. 590

Parliament
LORDS—
  The Ministry—Resignation of the Earl of Derby, Statement, The Earl of Derby; Observations, The Earl of Beaconsfield *Mar* 28, 100

  Chairman of Committees, Moved, That the Lord Steward be appointed to take the Chair in the Committees of the Whole House in the absence of the Lord Redesdale; agreed to

  Private Bills
  Ordered that Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Easter, be extended to the first day on which the House shall sit after the recess *April* 12

  The Easter Recess—Adjournment of the House, *April* 16; on the Motion of The Earl of Beaconsfield, House adjourned to Monday the 13th of May next

[*cont.*

PARLIAMENT—*cont.*

COMMONS—

Ordered, That the Orders of the Day subsequent to the Order of the Day for receiving the Report from the Committee of Ways and Means be postponed until after the Notice of Motion for leave to bring in a Bill for establishing a Code of Indictable Offences (*Mr. Chancellor of the Exchequer*) *April* 5

Postponement of Motions, Question, Mr. Dillwyn; Answer, Sir Henry Jackson; Observations, The Marquess of Hartington *April* 9, 963

Question, Mr. Bates; Answer, The Chancellor of the Exchequer *April* 9, 963

Ordered, That the Government Order of the Day appointed for To-morrow be taken at Two of the clock (*Sir Henry Selwin-Ibbetson*) *April* 11

Moved, "That the Orders of the Day subsequent to the Public Works Loans Bill be postponed until after the Notice of Motion for leave to bring in a Bill for establishing a Code of Indictable Offences" (*Mr. Chancellor of the Exchequer*) *April* 11, 1096; after short debate, Motion agreed to

Private Bills

Ordered, That Standing Order 129 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to Monday the 6th day of May next (*The Chairman of Ways and Means*) *April* 16

Privilege

The London Journals, Observations, Mr. Parnell; short debate thereon *April* 4, 532

Breach of Privilege, Question, Dr. Kenealy; short debate thereon *April* 5, 669

Privileges of the House, Observations, Dr. Kenealy *May* 10, 1712
[House counted out]

Order of Business, Questions, Major Nolan, Mr. Osborne Morgan, Mr. Rylands; Answers, Colonel Stanley, The Chancellor of the Exchequer *Mar* 28, 121

Public Business

Morning Sittings, Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer *April* 1, 288

Conduct of Business in this House, Observations, Mr. Rylands *April* 12, 1229; Moved, "That this House do now adjourn" (*Mr. Rylands*); after short debate, Motion withdrawn

The County Government Bill, Question, Mr. Clare Read; Answer, The Chancellor of the Exchequer *April* 15, 1285

The Valuation Bill—Legislation, Question, Sir Walter B. Barttelot; Answer, Mr. Sclater-Booth *April* 15, 1287

Contagious Diseases (Animals) Bill, Questions, Mr. Chaplin, Mr. W. E. Forster; Answers, The Chancellor of the Exchequer *April* 15, 1288; Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer *May* 6, 1450

[*cont.*

PARLIAMENT—COMMONS—*cont.*

Parliament—Public Business—The Easter Recess

Moved, "That this House will, at the rising of the House this day, adjourn till Monday the 6th day of May next" (*The Chancellor of the Exchequer*) *April* 16, 1375; after short debate, Amendt. to leave out "6th day of May next," and add "29th day of this instant April" (*Mr. Fawcett*) *v.*; Question proposed, "That '6th day of May next,' &c.;" after further short debate, Question put; A. 168, N. 10; M. 158 (D.L. 108)

Main Question put, and agreed to

Parliament — Privilege — Mr. O'Donnell and "The Globe"

Moved, "That the said article of 'The Globe' is a breach of the Privileges of this House" (*Mr. O'Donnell*) *April* 16, 1399

Amendt. to leave out from "That," and add "this House do now proceed to the Orders of the Day" (*Mr. Chancellor of the Exchequer*); Question proposed, "That the words, &c.;" after short debate, Question put, and negatived

Words added; Main Question, as amended, put, and agreed to

Parliament—Public Petitions Committee

Leave to make a Special Report—Special Report brought up, and read *April* 11, 1089

Report to lie upon the Table, and to be printed [No. 145]

Special Report read *April* 12, 1220; Moved, "That the said Order be discharged" (*Sir Charles Forster*); after short debate, Motion agreed to

Parliament—Public Petitions

House moved, That so much of the Order appointing the Select Committee on Public Petitions as directs that the Reports of the Committee do in all cases set forth the number of signatures to each Petition might be read; and the same being read,

Ordered, That, in accordance with the recommendation of the Special Report of the Committee on Public Petitions (11th of April), so much of the Order appointing the Select Committee on Public Petitions as directs that the Reports of the Committee do in all cases set forth the number of signatures to each Petition be discharged

Ordered, That it be an Instruction to the Committee that the Reports of the Committee do set forth the number of signatures to each Petition only in respect to those signatures to which addresses are affixed (*Sir Charles Forster*)

PARLIAMENT—HOUSE OF LORDS

New Peers

May 14—The Right Honourable Gathorne Hardy, created Viscount Cranbrook of Hemsted in the county of Kent

The Right Honourable Sir Charles Bowyer Adderley, created Baron Norton of Norton-on-the-Moors in the county of Stafford

PARLIAMENT—LORDS—cont.

Sat First

April 4—The Lord Rodney, after the death of his Father
April 8—The Earl of Ravensworth, after the death of his Father
May 14—The Lord Bishop of Saint David's

PARLIAMENT—HOUSE OF COMMONS

New Writs Issued

April 1—*For* North Lancashire, *v.* Lieutenant Colonel the Hon. Frederick Arthur Stanley, one of Her Majesty's Principal Secretaries of State
April 3—*For* Northumberland County (Southern Division), *v.* Lord Eslington, now Earl of Ravensworth
April 4—*For* Middlesex, *v.* Lord George Hamilton, Vice President of the Committee of Council on Education
April 16—*For* North Staffordshire, *v.* the Right Hon. Sir Charles Bowyer Adderley, K.C.M.G., now Baron Norton
For Tamworth, *v.* Robert William Hanbury, esquire, Chiltern Hundreds
May 6—*For* Oxford University, *v.* the Right Hon. Gathorne Hardy, now Viscount Cranbrook, called up to the House of Peers
For West Kent, *v.* John Gilbert Talbot, esquire, Manor of Northstead
For County Down, *v*, James Sharman Crawford, esquire, deceased
For Carmarthen, *v.* Sir Emile Algernon Arthur Keppel Cowell-Stepney, Chiltern Hundreds
May 9—*For* Reading, *v.* Sir Francis Henry Goldsmid, baronet, deceased

New Members Sworn

April 1—John Derby Allcroft, esquire, *City of Worcester*
April 8—William Ewart, esquire, *Belfast*
April 9—Right Hon. Frederick Arthur Stanley, *Lancaster County* (*Northern Division*)
April 12—Lord George Hamilton, *Middlesex*
May 6—Robert William Hanbury, esquire, *Northern Division of the County of Stafford*
May 9—Albert Henry George Grey, esquire, and Edward Ridley, esquire, *Southern Division of the County of Northumberland* (double Return)
May 13—Hamar Alfred Bass, esquire, *Tamworth*

Parliamentary and Municipal Elections (Ballot Papers) Bill

(*Sir Charles W. Dilke, Sir Henry James, Mr. Mark Stewart, Major Nolan*)

c. Motion for Leave (*Sir Charles W. Dilke*) *May* 9, 1687; Motion agreed to; Bill ordered; read 1° * [Bill 172]

Parliamentary and Municipal Elections (Hours of Polling)

Nomination of Select Committee *April* 2, 471

PARNELL, Mr. C. S., *Meath*

Army—Royal Artillery, 520, 521
Criminal Law (Indictable Offences), Leave, 1958
Customs and Inland Revenue, Comm. 1291; *cl.* 17, 1331; Amendt. 1335, 1337; Consid. Amendt. 1413
Dublin Tramways, 2R. Motion for Adjournment, 29
Eastern Question—Reserve Forces, 174, 207
Highways, 2R. 1257
Ireland—Earl of Leitrim, Murder of, Res. 1261
Irish Church Act (1869) Amendment, 2R. 474
Irish Church Temporalities Commissioners—Sale of Lands, 1601
Militia Volunteers for Service, 414
Mutiny, Comm. *cl.* 22, 41, 45, 47; *cl.* 23, 54; Motion for reporting Progress, 58, 60, 61; *cl.* 24, 62; *cl.* 26, 65, 122, 123, 124; Motion for reporting Progress, 125; *cl.* 39, 130, 131; *cl.* 41, 134; *cl.* 44, 135; *cl.* 48, 138, 139; *cl.* 56, 142, 144, 146; *cl.* 57, 148; *cl.* 66, 149; *cl.* 97, Amendt. *ib.* 151; *add. cl.* 152, 159, 161, 163, 164; Motion for reporting Progress, 165, 166, 168, 169; 3R. 211
Parliament—Morning Sittings, 1236
  Privilege, 532, 535, 536
Parliament — Privilege — Mr. O'Donnell and "The Globe," Res. 1405, 1406, 1407, 1408
Parliament—Public Business—Easter Recess, Res. 1097, 1103, 1398
Poor Law Guardians (Ireland) Election, 2R. 87, 94
Public Petitions Committee, Report, 1225
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 384; *cl.* 1, 1817, 1842
Statute Law Revision (Ireland), 2R. 1258
Supply—Charity Commission, 1613
  Civil Services and Revenue Departments, 181, 182, 240
  Comptroller and Auditor General of the Exchequer, 1619, 1621, 1623, 1626
  Foreign Office, 1488
  Friendly Societies, 1627
  Home Office, 1484, 1485
  House of Commons, Offices of the, Motion for reporting Progress, 1479, 1480, 1481
  House of Lords, Offices of the, 1453, 1460, 1469, 1475, 1477
  Local Government Board, &c. Amendt. 1633, 1637, 1648
  Lord Privy Seal, 1505, 1508
  Privy Council Office, 1490, 1492, 1496
  Privy Council for Trade, &c., Committee of, 1611
  Report, Amendt. 394
  Stationery Office, 1798, 1801, 1804, 1805, 1806; Motion for Adjournment, 1810, 1811
  Treasury, Amendt. 1481
Ways and Means—Financial Statement, Comm. 597, 606; Report, 748; Comm. 1159, 1162

Parochial Charities of the City of London
Amendt. on Committee of Supply *May* 10, To leave out from "That," and add "it is desirable that Her Majesty's Government should, at the earliest possible date, introduce some legislative measure carrying into effect the recommendations of the Twenty-fourth Report of the Charity Commissioners with respect to the Parochial Charities of the City of London" (*Mr. James*) *v.*, 1694; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

Pease, Mr. J. W., *Durham, S.*
Customs and Inland Revenue, 3R. 1753
Life Assurance Companies Act, 1870—Account of Insurance Companies, 519
Police Superannuation, 203
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 384; *cl.* 1, 637
Sale of Intoxicating Liquors—Licensing Law, Res. 1540, 1541, 1543
Vaccination Law (Penalties), 2R. 480, 508
Ways and Means—Financial Statement, Comm. 562; Report, 745

Peek, Sir H. W., *Surrey, Mid*
Metropolis—London Bridge, 1884

Peel, Right Hon. Sir R., *Tamworth*
Eastern Question—Negotiations, 1445

Peel, Mr. A. W., *Warwick Bo.*
Customs and Inland Revenue, Comm. *cl.* 20, 1344
Tramways (Use of Mechanical Power) Bills, Res. 1275, 1282

Pell, Mr. A., *Leicestershire, S.*
Army—Pay of Reserve Soldiers, 1693
Education Department—Grants in Elementary Schools, 531
Parliament — Privilege — Mr. O'Donnell and "The Globe," Res. 1406
Parochial Charities of the City of London, Res. 1703
Vaccination Law (Penalties), 2R. 504

Penzance, Lord
Matrimonial Causes Acts Amendment, Comm. *cl.* 3, Amendt. 187; *add. cl.* 191, 192

Percy, Right Hon. Earl, *Northumberland, N.*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 631
Vaccination Law (Penalties), 2R. Amendt. 489, 490
Ways and Means, Comm. 1153

Persian Legation, The Late
Question, Sir Thomas Chambers; Answer, Mr. Bourke *April* 5, 663

Pier and Harbour Orders Confirmation (No. 1) Bill
(*Viscount Sandon, Mr. J. G. Talbot*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *April* 8 [Bill 148]
Read 2° * *April* 16
Committee *; Report *May* 6
Order for 3R. discharged *May* 8

Pier and Harbour Orders Confirmation (No. 2) Bill
(*Viscount Sandon, Sir Henry Selwin-Ibbetson*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *May* 6 [Bill 159]
Read 2° * *May* 14

Pim, Captain B., *Gravesend*
Eastern Question, Notice of Motion, 1517
Treaty of San Stefano—Seaport of Batoum, 1366
Military Forces of the Crown—The Indian Contingent—The Estimate, 1722
Privateering, 1369

Playfair, Right Hon. Mr. Lyon, *Edinburgh and St. Andrew's Universities*
East India (Increase of Taxation), Res. 455
Supply—Civil Services and Revenue Departments, 242
Stationery Office, 1803, 1806
Vaccination Law (Penalties), 2R. 505

Plimsoll, Mr. S., *Derby Bo.*
Navy—Worn-out Boilers, Sale of, 34
Mercantile Marine—Cefn-y-wrach Shoal, Cardiff, 204

Plunket, Hon. D. R., *Dublin University*
Dublin Tramways, 2R. 29
Poor Law Guardians (Ireland) Election, 2R. Previous Question moved, 77
Supply—Civil Services and Revenue Departments, 243

Plunkett, Hon. R. E., *Gloucester, W.*
Borough Franchise (Ireland), 2R. 1981
Parliament—Public Business—Easter Recess, Res. 1103

Police Superannuation
Question, Mr. Pease; Answer, Mr. Assheton Cross *Mar* 29, 203

Poor Law Amendment Act (1876) *Amendment Bill—The* 23rd *Clause*
Question, Mr. Mellor; Answer, The Chancellor of the Exchequer *May* 13, 1724

Poor Law Guardians (Ireland) Election Bill (*Mr. Gray, Mr. Downing, Mr. Redmond*)
c. Moved, "That the Bill be now read 2°" *Mar* 27, 67 [Bill 17]
Previous Question moved (*Mr. Plunket*); after debate, Question put, "That the Original Question be now put;" A. 164, N. 208; M. 44 (D. L. 75)

Post Office
The Indian Mails, Question, Mr. Hopwood; Answer, Lord John Manners *April* 15, 1283
The Money Order Office—Salaries, Question, Sir Charles W. Dilke; Answer, Lord John Manners *May* 14, 1881

Post Office—Mail Contracts
Amendt. on Committee of Supply *May* 9, To leave out from "That," and add "in the opinion of this House, the enforcing of a Contract which makes no allowance for fogs or bad weather leads to great and unjustifiable risks by inducing, and even compelling, the masters of mail packets to neglect the necessary precautions in such weather, and thereby to endanger life and property; and that in such Contracts the give and take system ought to be adhered to" (*Mr. Bentinck*) *v.* 1598; Question proposed, "That the words, &c.;" after short debate, Question put, and agreed to

Post Office—Postmasterships
Amendt. on Committee of Supply *Mar* 29, To leave out from "That," and add "in the opinion of this House, the responsibility of appointing to Postmasterships, whatever the salary attached to the appointment, should rest solely with the Postal authorities, and that the present system of making such appointments in certain cases conditional upon a nomination by Members of Parliament endorsed by the Patronage Secretary to the Treasury is anomalous, and calculated to interfere with the efficiency of the Postal and Telegraph Service" (*Dr. Cameron*) *v.* 211; Question proposed, "That the words, &c.;" after short debate, Question put; A. 174, N. 78; M. 96 (D. L. 81)

Potter, Mr. T. B., *Rochdale*
India—Famine in Bombay, 959

Power, Mr. J. O'Connor, *Mayo*
Dublin Tramways, 2R. 31
Mutiny, Comm. *cl.* 22, Amendt. 39, 44; Amendt. 46, 50; Amendt. 53; *cl.* 23, Amendt. *ib.* 55, 58; Amendt. 61; *cl.* 24, 62; *cl.* 26, 65, 127; *cl.* 48, 137, 139; *cl.* 56, 142, 144, 146; *add. cl.* 159, 164, 166, 167
Parliament — Privilege — Mr. O'Donnell and "The Globe," Res. 1406, 1411
Poor Law Guardians (Ireland) Election, 2R. 95
Queen's Colleges (Ireland)—Irish Language, 672
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 354, 383, 394; *cl.* 1, 1814, 1819, 1845
Sergeant M'Carthy, 119

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Power, Mr. J. O'Connor—*cont.*
Supply—Civil Services and Revenue Departments, 182
House of Lords, Offices of the, 1455, 1457; Amendt. 1462, 1468, 1476, 1478
Local Government Board, &c. 1631, 1635, 1648
Lord Privy Seal, 1497; Motion for reporting Progress, 1506, 1507
Mint, Coinage, &c. 1764
Patent Law Amendment Act, &c. 1772, 1774
Paymaster General in London and Dublin, 1777, 1778, 1780
Stationery Office, 1781, 1787, 1790, 1797, 1801, 1803, 1809, 1810
Ways and Means—Financial Statement, Comm. 604

Powis, Earl of
Bishoprics, 2R. 20; Comm. *cl.* 2, Amendt. 515

Price, Captain G. E., *Devonport*
Navy—H.M.S. "Eurydice," Foundering of, 286

Price, Mr. W. E., *Tewkesbury*
Army—Brigade Depôt Quartermasters, 35

Prison Discipline—Flogging
Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross *Mar* 26, 34

Prisons Act, 1877
Governors of Gaols, Question, Sir Joseph Bailey; Answer, Mr. Assheton Cross *May* 13, 1720
Letters to Prisoners' Friends, Question, Mr. Whitbread; Answer, Mr. Assheton Cross *April* 9, 959
The Regulations, Question, Mr. E. Jenkins; Answer, Mr. Assheton Cross *May* 13, 1716

Prisons (Scotland) Act—Prison Board Clerks
Question, Mr. M'Laren; Answer, The Lord Advocate *April* 16, 1368

Privateering
Question, Captain Pim; Answer, The Chancellor of the Exchequer *April* 16, 1369

Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) Bill [H.L.]
(*The Lord President*)
l. Presented; read 1ª*, and referred to the Examiners *April* 5 (No. 65)
Read 2ª* *May* 14

Public Baths and Washhouses Bill
(*Lord Houghton*)
l. Committee* *April* 1 (No. 39)
Report* *April* 2
Read 3ª* *April* 9

Public Buildings and Offices—Report of the Committee
Observations, Mr. Baillie Cochrane; Reply, The Chancellor of the Exchequer *May* 6, 1450

Public Health Act (1875) Amendment Bill (*Mr. Alexander Brown, Mr. Playfair, Mr. Ryder, Mr. Joseph Cowen*)
c. Report of Select Comm. *April* 5 (No. 134)
Report * *April* 5 [Bills 66-144]
Committee * (*on re-comm.*)—R.P. *April* 8
Committee; Report *May* 9, 1686
Read 3° * *May* 15

Public Health (Ireland) Bill
Question, Mr. Redmond; Answer, Mr. J. Lowther *May* 14, 1883

Public Health (Scotland) Provisional Order (Lochgelly) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Ordered; read 1° * *May* 9 [Bill 171]

Public Works Loans Bill (*Mr. Raikes, Sir Henry Selwin-Ibbetson, Mr. Sclater-Booth*)
c. Considered in Committee * *Mar* 29
Resolution reported, and agreed to; Bill ordered; read 1° * *April* 1 [Bill 138]
Moved, "That the Bill be now read 2°" *April* 4, 608; after short debate, Moved, "That the Debate be now adjourned" (*Mr. Dillwyn*); after further short debate, Motion agreed to; Debate adjourned
Debate resumed *April* 12, 1251; after short debate, Question put, and agreed to; Bill read 2°
Committee; Report *April* 15, 1351
Read 3° * *April* 16
l. Read 1ª * (*The Lord President*) *May* 13 (No. 81)

Public Works Loans Epping Forest Rural Sanitary Authority, and Wigan Parish Church [Composition and Cancellation of Debts]
c. Considered in Committee *April* 9, 1041; Resolutions agreed to

Puleston, Mr. J. H., *Devonport*
Employers Liability for Injuries, 2R. 1062

Queen's Colleges and University (Ireland) Bill (*Mr. O'Donnell, Mr. O'Shaughnessy, Mr. Gray, Mr. Biggar, Mr. O'Connor Power*) [Bill 26]
c. Order read, for resuming Further Proceeding on Question [28th February], "That the Bill be now read 2°;" Debate resumed *May* 15, 1990

Queen's Colleges and University (Ireland) Bill—cont.
Amendt. to leave out "now," and add "upon "this day six months" (*Mr. James Corry*); Question proposed, "That 'now,' &c.;" after short debate, Question put; A. 26, N. 232; M. 206 (D. L. 133)
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

Raikes, Mr. H. C. (Chairman of Committees of Ways and Means), *Chester*
Bermondsey Vestry, 2R. 1514
Customs and Inland Revenue, Comm. *cl.* 3, 1292
Dublin Tramways, 2R. 27
Mutiny, Comm. *cl.* 22, 52; *cl.* 23, 55, 57, 60, 61; *cl.* 26, 123, 124, 125; *cl.* 48, 136, 137; *add. cl.* 169
Parliamentary and Municipal Elections (Hours of Polling), Nomination of Committee, 474
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 322, 331, 353, 354; *cl.* 1, 625, 626, 633, 641, 1814, 1817
Supply—House of Commons, Offices of the, 1480
  House of Lords, Offices of the, 1456
  Patent Law Amendment Act, &c. 1769, 1771
  Stationery Office, 1785, 1786, 1787, 1789, 1790, 1797, 1806
Tramways (Use of Mechanical Power) Bills, Res. 1275, 1280, 1282
Ways and Means—Financial Statement, Comm. 606

Railway Returns (Continuous Brakes) Bill (*The Lord Henniker*)
l. Presented; read 1ª, after short debate *April* 11, 1083 (No. 75)
Read 2ª, after short debate *April* 15, 1273
Committee; Report *April* 16, 1361
Read 3ª * *May* 13

Railways
Brake Power, Question, Mr. M. Brooks; Answer, Viscount Sandon *April* 16, 1366
Railway Passenger Duty, Petition presented (*Lord Houghton*) *April* 1, 280; after short debate, Petition ordered to lie on the Table; Question, Mr. M'Lagan; Answer, The Chancellor of the Exchequer *April* 4, 526
Railway Time Tables, Question, Mr. J. S. Hardy; Answer, Viscount Sandon *May* 10, 1690
The late Sir Francis Goldsmid, Question, Mr. Isaac; Answer, Viscount Sandon *May* 10, 1689

Ralli, Mr. P., *Bridport*
Local Government and Taxation in London, Res. 703

Ramsay, Mr. J., *Falkirk, &c.*
- Parliament—Morning Sittings, 1238
- Supply—Charity Commissioners, 1613
  - Comptroller and Auditor General of the Exchequer, 1622
  - House of Lords, Offices of the, 1459
  - Local Government Board, &c. 1644, 1645, 1647
  - Lord Privy Seal, 1500

Ramsgate Improvement and Harbour Bill (by Order)
c. Read 2°* *April* 11

Rathbone, Mr. W., *Liverpool*
- Land Registration, Motion for a Select Committee, 1899
- Message from the Queen—Army Reserve Forces, 293

Read, Mr. Clare S., *Norfolk, S.*
- Adulteration of Seeds Act (1869) Amendment, 2R. 1356
- Customs and Inland Revenue, Comm. *cl.* 17, 1325
- Parliament—Business of the House, 1285
- Public Works Loans, 2R. 1253
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 383, 392

Redesdale, Earl of (Chairman of Committees)
- Bishoprics, 2R. 20; Comm. *cl.* 2, 515; Report, Amendt. 955, 958
- Locomotion—Railway Passenger Duty, Motion for a Select Committee, 283
- Message from the Queen—Calling out the Reserve Forces, 272

Redmond, Mr. W. A., *Wexford*
- Public Health (Ireland), 1883

Ribblesdale, Lord
- Army—Marking Deserters, 108

Richard, Mr. H., *Merthyr Tydvil*
- Message from the Queen—Army Reserve Forces, Motion for an Address, 997, 1008

Richmond and Gordon, Duke of (Lord President of the Council)
- Cattle Diseases—Correspondence, 1854
- Eastern Question—Prince Gortchakoff's Circular and Memorandum, 1219
- Education (Scotland), 2R. 277, 280; Comm. *cl.* 6, Amendt. 949; *cl.* 7, Amendt. *ib.*; *cl.* 17, Amendt. 950; *cl.* 19, Amendt. *ib.* 952
- Endowed Schools and Hospitals (Scotland), 1R. 192, 199; 2R. 659; Comm. *cl.* 3, 1073; *cl.* 4, 1074; *cl.* 8, 1075; Amendt. 1076; *cl.* 12, 1077, 1081; 3R. 1193
- Medical Act, 1858, Amendment, 2R. 1269
- Military Forces of the Crown—Employment of Indian Troops, 1855
- Precognition (Scotland)—Sudden or Suspicious Deaths, Motion for Returns, 649

Ripon, Marquess of
- Cattle Diseases—Correspondence, 1854
- Education (Scotland), 2R. 274; Comm. *cl.* 7, 949; *cl.* 19, 951
- Endowed Schools and Hospitals (Scotland), 1R. 199; 2R. 661; Comm. *cl.* 3, 1073; *cl.* 8, 1076; *cl.* 12, 1079
- Medical Act, 1858, Amendment, 2R. 1267

Ritchie, Mr. C. T., *Tower Hamlets*
- Customs and Inland Revenue, Comm. *cl.* 3, Amendt. 1292, 1299, 1302, 1304; *cl.* 12, 1307; Consid. 1417, 1418; 3R. Amendt. 1650
- Interments in Churchyards, 1416

Rivers Pollution Prevention Act, 1876
- Question, Mr. Tennant; Answer, Mr. Sclater-Booth *May* 9, 1596

Robertson, Mr. H., *Shrewsbury*
- Post Office—Postmasterships, Res. 216

Rodwell, Mr. B. B. H., *Cambridgeshire*
- Customs and Inland Revenue, Comm. *cl.* 17, 1330
- Parliament—Public Business—Easter Recess, Res. 1101
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 1825

Roebuck, Mr. J. A., *Sheffield*
- Eastern Question—Congress, The, 523

Rosebery, Earl of
- Bishoprics, Report, 954, 958; 3R. Amendt. 1855, 1865
- Endowed Schools and Hospitals (Scotland), 2R. 656; Comm. *cl.* 12, 1078

Roumania
- *Customs Tariff*, Question, Mr. Serjeant Spinks; Answer, The Chancellor of the Exchequer *May* 13, 1717
- *The Jews*, Question, Mr. Serjeant Simon; Answer, The Chancellor of the Exchequer *Mar* 26, 36

Russia—Roumania
- Question, Mr. J. Cowen; Answer, The Chancellor of the Exchequer *April* 11, 1096

[See title *Turkey*]

Rylands, Mr. P., *Burnley*
- Army and Navy Services—Excess, 1692
- Customs and Inland Revenue, Comm. *cl.* 12, 1308; 3R. 1747
- Eastern Question—Negotiations, 1442
- Egyptian Finance, 206, 224
- Mutiny, 3R. 207
- Parliament—Business of the House, 122
  - Morning Sittings, 1229, Motion for Adjournment, 1232
- Public Works Loans, Comm. *cl.* 5, 1352

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Rylands, Mr. P.—*cont.*
- Supply—Charity Commission, 1612
    - Civil Service Commission, 1617
    - Foreign Office, 1487, 1488
    - House of Lords, Offices of the, 1467
    - Stationery Office, 1793
- Ways and Means, Report, 744

Sale of Intoxicating Liquors—Licensing Law
- Moved, "That, in the opinion of this House, it is inexpedient to issue in England and Wales, between the present time and the next Session of Parliament, any new licences for the sale of wine, beer, or spirits 'to be consumed off the premises,' without the sanction, in the case of each new licence, of Her Majesty's principal Secretary of State for the Home Department" (*Mr. Pease*) *May* 7, 1540; Previous Question moved, "That that Question be now put" (*Sir Henry Selwin-Ibbetson*); Previous Question put, and negatived

Sale of Intoxicating Liquors on Sunday (Ireland) Bill (*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond*)
- c. Committee—R.P. *April* 1, 299 [Bill 44]
- Committee—R.P. *April* 4, 622
- Committee—R.P. *May* 13, 1812

Salisbury, Marquess of (Secretary of State for Foreign Affairs)
- Eastern Question — Austro-Hungarian Monarchy—Speech of the Earl of Derby, Explanation, 1362, 1363
- Message from the Queen—Army Reserve Forces, Motion for an Address, 811, 828, 839, 840

Samuda, Mr. J. D'A., *Tower Hamlets*
- Customs and Inland Revenue, 2R. 1187; Comm. *cl.* 3, 1302; 3R. 1661
- Local Government and Taxation in London, Res. 732
- Vaccination Law (Penalties), 2R. 506

Samuelson, Mr. H. B., *Frome*
- Customs and Inland Revenue, 2R. 1188; Comm. *cl.* 17, 1334; *cl.* 20, 1346
- Militia Volunteers for Service, 413, 414
- Mutiny, Comm. *cl.* 22, 43; *cl.* 26, 64
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 393; *cl.* 1, 1825
- Supply—Comptroller and Auditor General of the Exchequer, 1624, 1625
    - Foreign Office, 1489
    - Local Government Board, &c. 1644
    - Lord Privy Seal, 1501
- Turkey—Murder of Mr. Ogle, 1596

Sandford, Mr. G. M. W., *Maldon*
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 363, 368; *cl.* 1, 622

Sandon, Right Hon. Viscount (Vice President of Committee of Council on Education) (*afterwards* †President of the Board of Trade), *Liverpool*
- Cattle Plague, 117
- Education Department—Miscellaneous Questions
    - Grants in Elementary Schools, 531
    - London School Board—Religious Teaching, 531
    - Religious Instruction, 530
    - School Board Elections, 530
- Elementary Education Act—Board School, Wymington, 112
- Elementary Education Act, 1876—School Certificates of Birth, 529
- †Joint Stock Companies Acts, 1862 and 1867, Res. 1711
- †Railway Time Tables, 1690
- †Railways—Brake Power, 1367
    - †Sir Francis Goldsmid, The Late, 1689
- †Supply—Privy Council for Trade, &c. Committee of, 1610

Sandwich, Earl of
- Ecclesiastical Commission — M Charles Armstrong, 1081
- Parliament—Militia Officers, 184

Sclater-Booth, Right Hon. G. (President of the Local Government Board), *Hampshire, N.*
- Blind and Deaf-Mute Children (Education), Comm. 1358
- Highways, 2R. 1257
- Metropolis—Water Supply, 1285
- Noxious Vapours Commission, Report, 1720
- Parliament—Public Business, 1287
- Poor Law Guardians (Ireland) Election, 2R. 96
- Public Health Act (1875) Amendment, Comm. Amendt. 1686
- Public Works Loans, 2R. 608, 609, 620, 621, 1256; Comm. 1351; *cl.* 5, 1354; *add. cl.* 1356
- Rivers Pollution Prevention Act, 1876, 1597
- Supply—Local Government Board, &c. 1632, 1636, 1639, 1640, 1641, 1642, 1643, 1645, 1646
- Vaccination Law (Penalties), 2R. 477, 490, 507

Scotland

Miscellaneous Questions
- *Gun Licence Act*, 1870—*Rabbits*, Question, Sir Alexander Gordon; Answer, The Chancellor of the Exchequer *April* 11, 1089
- *Law and Justice—Office of Lord Clerk Register*, Question, Sir Alexander Gordon; Answer, Mr. Assheton Cross *Mar* 26, 37
- *Local Taxation and Government*, Question, Sir George Campbell; Answer, Mr. Assheton Cross *May* 13, 1719
- *Prisons (Scotland) Act—Prison Board Clerks*, Question, Mr. M'Laren; Answer, The Lord Advocate *April* 16, 1368

Scotland—Precognition—Sudden or Suspicious Deaths
- Moved for, Returns from each county in Scotland of the number of cases of sudden death or of death under suspicious or unknown circumstances which have been the subject of precognition by procurators fiscal in each of the years 1875 and 1876, and in which the investigations were from the first connected with charges of murder, culpable homicide, &c.; also specifying the number of such cases as have afterwards become the subject of criminal trials (supplementary to Lords Paper No. 4., 1878) (*The Earl of Minto*) *April* 5, 647; after short debate, Motion agreed to; Returns ordered to be laid before the House

SELBORNE, Lord
- Matrimonial Causes Acts Amendment, Comm. *cl.* 3, 190
- Message from the Queen—Army Reserve Forces, Motion for an Address, 807, 811
- Military Forces of the Crown—Employment of Indian troops, 1854, 1855

SELWIN-IBBETSON, Sir H. J. (Under Secretary of State for the Home Department) (*afterwards* †Secretary to the Treasury), *Essex, W.*
- †Customs' Clerks, 1091
- †Customs—Outport Clerks, 1884
- †Customs and Inland Revenue, Comm. 1290; *cl.* 14, Amendt. 1320; *cl.* 15, Amendt. *ib.*
- †Law and Justice—Judges' Substitutes, 858
- †Metropolis Management and Building Acts Amendment, Comm. *cl.* 11, Amendt. 756; *add. cl.* 758
- †Paris Exhibition — Government Workmen, 1716
- †Parliament—Morning Sittings, 1237
- †Parliamentary and Municipal Elections (Hours of Polling), Nomination of Select Committee, 471
- †Public Works Loans, Comm. *cl.* 5, 1352
- †Sale of Intoxicating Liquors—Licensing Law, Res. Previous Question moved, 1542
- †Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 380; *cl.* 1, 1837
- Smoke Nuisance Act, 118
- †Supply—Charity Commission, 1612, 1614
  - †Civil Service Commission, 1616
  - †Comptroller and Auditor General of the Exchequer, 1620, 1621, 1622, 1624, 1625
  - †Foreign Office, 1486
  - †Friendly Societies, 1629, 1630
  - †Home Office, 1484
  - House of Commons, Offices of the, 1481
  - †House of Lords, Offices of the, 1453, 1454, 1455, 1456, 1457, 1459, 1461, 1464, 1470, 1472, 1473, 1474, 1476
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Considered in Committee *May* 6, 1452—Civil Service Estimates—Class II.—Salaries and Expenses of Public Departments
Resolutions [May 6] reported *May* 9, 1686
 First Two Resolutions agreed to
 Res. 3; Moved, "That this House doth agree with the Committee in the said Resolution"
 Resolution agreed to
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Considered in Committee *May* 9, 1607—Civil Service Estimates — Class II.— Salaries and Expenses of Public Departments—Resolutions reported *May* 13
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c. Read 2º, after debate *May* 8, 1583 [Bill 31]

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(*Mr. Attorney General*)
c. Read 1º * *Mar* 28 [Bill 137]

Thames River (Prevention of Floods) Bill
c. Motion for Leave (*Sir James M'Garel-Hogg*) *April* 8, 943; Debate adjourned

Threshing Machines Bill
(*The Lord Walsingham*)
l. Read 2ª *April* 4, 516 (No. 50)
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Tramways (Ireland) Acts Amendment Bill (*Mr. Collins, The Marquess of Hamilton, Mr. Shaw, Mr. William Wilson*)
c. 2R., after short debate, Debate adjourned *Mar* 27, 98 [Bill 47]
2R., debate further adjourned *Mar* 28

Tramways Orders Confirmation (No. 1) Bill (*Mr. J. G. Talbot, Viscount Sandon*)
c. Ordered; read 1° * *April* 15 [Bill 151]
Read 2° *, and referred to a Select Committee *May* 13

Tramways Orders Confirmation (No. 2) Bill (*Mr. J. G. Talbot, Viscount Sandon*)
c. Ordered; read 1° * *April* 15 [Bill 152]
Read 2° * *May* 13

Tramways Orders Confirmation (No. 3) Bill (*Mr. J. G. Talbot, Viscount Sandon*)
c. Read 1° * *May* 9 [Bill 174]
Read 2° *, and referred to Select Committee on Tramways (Use of Mechanical Power)

Tramways Orders Confirmation (Glasgow, &c.) Bill
(*Viscount Sandon, Sir Henry Selwin-Ibbetson*)
c. Ordered * *May* 8

Tramways (Use of Mechanical Power) Bills
c. Moved, "That it be an Instruction to the Committee on Tramways (Use of Mechanical Power) Bills, that they have power to deal with all Tramway Bills of the present Session, whether opposed or unopposed, which have been referred to them, notwithstanding that the Promoters may be desirous to withdraw from any such Bills the Clauses whereby it was proposed to authorize the use of steam or other mechanical power:—That the Dublin Southern District Tramways Bill be re-committed to the said Committee" *April* 15, 1275; after short debate, Moved, "That the Debate be now adjourned" (*Mr. O'Conor*); Motion withdrawn
Main Question put, and agreed to

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Moved, "That this House do now adjourn" (*Mr. Fawcett*); after debate, Motion withdrawn
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Question, Mr. Baxter; Answer, Mr. Assheton Cross *May* 10, 1691

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Question, Mr. Gourley; Answer, The Chancellor of the Exchequer *April* 1, 285

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(*Mr. Pease, Mr. Walter James, Mr. Mundella, Mr. Leeman*)

c. Moved, "That the Bill be now read 2°" *April* 3, 477

After debate, Amendt. to leave out "now," and add "upon this day six months" (*Lord Randolph Churchill*); Question proposed, "That 'now,' &c.;" after further short debate, Question put; A. 82, N. 271; M. 189 (D. L. 95)

Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

Valuation Bill

(*Mr. Ramsay, Sir Graham Montgomery, Mr. Baxter, Mr. Rodwell, Mr. Joseph Cowen*)

c. Read 2°* *Mar* 27 [Bill 35]

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